

**McHENRY COUNTY, ILLINOIS  
SOLID WASTE MANAGEMENT PLAN  
10-YEAR UPDATE**



**McHenry County Department of  
Planning & Development**

September 3, 2002

## RESOLUTION

AUTHORIZING AN AMENDMENT TO THE TEXT OF THE MCHENRY COUNTY  
SOLID WASTE MANAGEMENT PLAN

WHEREAS, Pollution Control Facilities may be located anywhere in McHenry County; and

WHEREAS, the County of McHenry has determined that Pollution Control Facilities have external consequences that extend beyond the limits of the property and beyond municipal boundaries; and

WHEREAS, it is in the best interest of the County to realize protection from and mitigation of adverse environmental and/or economic effects from a Pollution Control Facility; and

WHEREAS, a host agreement between the County and a potential Applicant of a Pollution Control Facility would serve to provide compensation and regulation of certain external consequences; and

WHEREAS, the Illinois Environmental Protection Act (415 ILCS 39.2(a)(viii)) provides that if a Pollution Control Facility is to be located in a county where the County Board has adopted a Solid Waste Management Plan, such facility must be consistent with that county plan; and

WHEREAS, the Solid Waste Management Plan 10-Year Update, was adopted September 3, 2002, by the County Board and reviewed by the Illinois Environmental Protection Agency and found to be in accordance with the provisions required; and

WHEREAS, the adoption of a text amendment to the Solid Waste Management Plan 10-Year Update would require an Applicant to enter into a host agreement before a determination of consistency with said plan is made by the County; and


WHEREAS, the Planning and Development Committee is recommending the amendment to the Solid Waste Management Plan 10-Year Update; and

WHEREAS, the language of such a text amendment is attached hereto and made a part hereof,

NOW, THEREFORE BE IT RESOLVED, by this County Board of McHenry County, Illinois, that the text of the Solid Waste Management Plan 10-Year Update be amended as attached and identified hereto as "Exhibit A" requiring a host agreement prior to determination of consistency being made by the County for pollution control facilities located anywhere in McHenry County; and

BE IT FURTHER RESOLVED, that the County Clerk is hereby requested to distribute a certified copy of this Resolution to the County Administrator and the Director of Planning and Development.

ENACTED AND APPROVED this 19th day of October, AD, 2004, at Woodstock, Illinois.

  
MICHAEL W. TRYON, Chairman,  
McHenry County Board

ATTEST:

  
KATHERINE C. SCHULTZ, County Clerk

## Exhibit "A"

**PROPOSED LANGUAGE FOR MCHENRY COUNTY  
SOLID WASTE MANAGEMENT PLAN**

The Illinois Legislature, in enacting Section 39.2 of the Environmental Protection Act (the State Siting Statute) has recognized that Pollution Control Facilities may occasion impacts upon the area surrounding a proposed facility, and, accordingly, the Legislature included various criterion in the State Siting Statute that must be satisfied so as to ensure that these impacts are minimized to the greatest practical extent possible.

More particularly, Criterion viii of the State Siting Statute specifically provides that if a proposed pollution control facility is to be located in a county where the County Board has adopted a Solid Waste Management Plan consistent with the Local Solid Waste Disposal Act or the Solid Waste Planning and Recycling Act, the proposed facility must be consistent with that Plan.

Both the Local Solid Waste Disposal Act and the Solid Waste Planning and Recycling Act recognize that impacts may arise as a result of a proposed Pollution Control Facility. More specifically, both of these acts allow local units of government to evaluate (among other things) the economic and environmental advantages and disadvantages of any proposed facilities within its jurisdictional boundaries.

As such, a sound legislative basis exists for requiring applicants to offset and mitigate these impacts by offering host benefits in the form of a Host Benefit Agreement, and, while these impacts cannot be precisely defined on a county-wide basis, they can, nonetheless be quantified to a reasonable degree. In fact, several counties in the Chicago Metro area (most notably DuPage County) have already adopted amendments to their Siting Ordinances and Solid Waste Management Plans which require an applicant to negotiate and enter into an agreement based on a "Generic Host Benefit Agreement". Those mandates provide that while the exact host benefits (both monetary and non-monetary) to be offered will vary (based upon the particular location and circumstances involved with any one particular proposed facility), the "Generic Host Benefit Agreement" sets forth certain base monetary and non-monetary host benefits and other planning considerations which, at a minimum, must be agreed to by an applicant.

In addition, the monetary equivalent of such impacts (increased traffic, noise, dust, odor, long range planning, regulatory oversight, inspection and enforcement activities, etc.) to a county such as McHenry, have been more or less quantified by DuPage County in the form of its Generic Host Benefit Agreement. McHenry County has reviewed the Generic Host Benefit Agreement adopted by DuPage County, and believes that the Agreement contains a logical and rational basis for and evaluation of the impacts Pollution Control Facilities would occasion upon counties in the Chicago Metro area such as McHenry County and DuPage County.

Moreover, there are additional compelling benefits and considerations that have importance in favor of requiring an applicant to negotiate a Host Benefit Agreement with the County in advance of filing an application (as opposed to the applicant simply offering host

benefits in the text of the application). Unless an applicant negotiates a Host Benefit Agreement in advance, there is no guarantee that all of the County's concerns relative to potential impacts generated by a proposed facility can be precisely identified and addressed. Also, from an orderly planning point of view, requiring a Host Benefit Agreement to be negotiated and executed in advance of the filing of a siting application allows the County to realize a firm contractual commitment from the applicant to minimize all potential impacts which may arise from the proposed facility.

Again, it should be emphasized that in addition to monetary benefits being offered to offset the impacts of the proposed facility upon the County, Generic Host Benefit Agreements should contain threshold requirements as to such matters as acceptable setbacks, facility aesthetics, natural screening, orderly and safe flow of traffic, responsiveness to complaints from the surrounding area concerning the operation of the facility, and other relevant planning considerations.

Based upon all of the above, McHenry County has drafted a Generic Host Benefit Agreement which it believes addresses the concerns particular to McHenry County concerning the location of a Pollution Control Facility. A copy of this Generic Host Benefit Agreement shall be adopted by resolution, and this amendment of the plan hereby requires the negotiation of a Host Benefit Agreement as a required element to be satisfied by an Applicant to be consistent with the McHenry County Solid Waste Management Plan, as stated in the County Siting Ordinance.

In addition, it should be recognized that even in those instances where a Pollution Control Facility is proposed to be located within the jurisdictional boundaries of a municipality, certain impacts will nonetheless be occasioned upon the County as a whole as a result of the operation of such a facility. Consequently, in order to be consistent with the McHenry County Solid Waste Plan, and moreover, the considerations embodied in Criterion viii of the State Siting Statute, even in those instances where a proposed facility is to be located outside the unincorporated area of McHenry County and within the boundaries of a municipality, nonetheless, an applicant must still evaluate the proposed impacts of the facility upon the County, as a whole and as it affects the nearby unincorporated area, and offer appropriate benefits to the County in the form of a Host Benefit Agreement.

Any new or expanded Pollution Control Facility seeking local siting approval anywhere in McHenry County (in order to be consistent with Criterion viii of Section 39.2 of the Act) must negotiate a host agreement with the County prior to any determination of Plan consistency being made by the County. Host agreements with the County shall be for the purpose of compensating and mitigating economic, environmental, and other impacts identified above, that are associated with the development and operation of the proposed Pollution Control Facility.

STATE OF ILLINOIS            )  
  SS  
COUNTY OF MCHENRY        )

I, Katherine C. Schultz, County Clerk within and for said County and State aforesaid, do hereby certify the foregoing to be a true and complete copy of Resolution No. R-200410-10-312; Authorizing an amendment to the text of the McHenry County Solid Waste Management Plan. WHEREOF I have herewith subscribed my hand and affixed the official seal of said County, at my office in Woodstock, Illinois this 16 day of November AD, 2004.

Katherine C. Schultz  
McHenry County Clerk 

R-200312-10-310

## RESOLUTION

AUTHORIZING AN AMENDMENT TO THE TEXT OF THE MCHENRY COUNTY SOLID  
WASTE MANAGEMENT PLAN

WHEREAS, Pollution Control Facilities may be located in unincorporated McHenry County; and,

WHEREAS, the County of McHenry has determined that a minimum host fee should be required of any pollution control facility located in unincorporated McHenry County; and,


WHEREAS, it is recommended that prior to establishing regulations requiring host fees of Pollution Control Facilities an amendment be made to the text of the Solid Waste Management Plan of McHenry County Illinois; and,

WHEREAS, the language of such a text amendment is attached hereto and made a part hereof;

NOW, THEREFORE BE IT RESOLVED, by this County Board of McHenry County, Illinois, that the text of the Solid Waste Management Plan be amended as attached and identified hereto as "Exhibit A" concerning the establishment of minimum host fees for any pollution control facility located in unincorporated McHenry County.

BE IT FURTHER RESOLVED, that the County Clerk is hereby requested to distribute a certified copy of this Resolution to the County Administrator and the Director of Planning and Development.

DATED at Woodstock, Illinois, this 2<sup>nd</sup> day of December, AD, 2003

  
MICHAEL W TRYON, Chairman,  
McHenry County Board

ATTEST:

  
KATHERINE C. SCHULTZ, County Clerk



## Exhibit "A"

### Host Fees

There are several programs recommended in the McHenry County Solid Waste Management Plan and subsequent updates that would benefit from the income afforded to McHenry County through host fees. These programs range from education to providing special collection events for items such as, but not limited to, appliances and household hazardous waste (HHW). It should be noted that by providing regularly scheduled HHW collection events, illegal dumping or improper disposal of such materials may be minimized.

McHenry County has adopted a principle that a minimum host fee should be required of any pollution control facility located in unincorporated McHenry County. The fee would be required to minimize the financial burden on the County for inspections and to provide safe disposal alternatives to the citizens of McHenry County.

The host fee identified by DuPage County, Illinois in their generic host agreement is reflective of what would be considered a fair and reasonable host fee. Section 3.2 of DuPage County's generic host agreement<sup>1</sup>, as adopted by ordinance number SW-0002-02<sup>1</sup>, indicates that the per ton fee for year 2003 shall be \$1.69. Furthermore, a more recent host agreement between the City of Batavia and Onyx Waste<sup>1</sup> included a host fee of \$1.90 per ton for up to 400 tons per day, and \$2.00 for each ton over 400 tons per day.

As such, McHenry County may require a minimum host fee of \$1.90 per ton from every pollution control facility located in unincorporated McHenry County. This would be in addition to surcharges allowed under the Act. The County may review and increase the minimum host fee at any time. However, it is recommended that the review and increase process occur annually.

The host agreement may be initiated by the pollution control facility applicant prior to submittal of an application for siting to the County. An applicant may propose to offer services in lieu of or in addition to monetary fees.

It is recommended that collected fees be deposited in the Solid Waste Management Fund with costs incurred for inspection and enforcement of the pollution control facility drawn from this Fund. Remaining funds will be used for solid-waste programs such as, but not limited to, recycling education in area schools, HHW collection events, collection events for hard to dispose of items (appliances, leaves, tires, etc.), and recycling programs (sponsored by government bodies and/or not-for-profit organizations).

<sup>1</sup> The DuPage County generic host agreement and adopting ordinance and the City of Batavia host agreement are included with this amendment to the McHenry County Solid Waste Management Plan.

STATE OF ILLINOIS        )  
  SS  
COUNTY OF MCHENRY    )

I, Katherine C. Schultz, County Clerk within and for said County and State aforesaid, do hereby certify the foregoing to be a true and complete copy of Resolution No. R-200312-10-310; authorizing an amendment to the text of the McHenry County Solid Waste Management Plan. WHEREOF I have hereunto subscribed my hand and affixed the official seal of said County, at my office in Woodstock, Illinois this 19 day of December AD, 2003.

Katherine C. Schultz  
McHenry County Clerk

**Note: the following attachments are available upon request (copying fees may apply):**

- ▶ DuPage County's generic host agreement;
- ▶ Ordinance adopting DuPage County's generic host agreement; and
- ▶ City of Batavia's host agreement.



Department of Planning and Development  
McHenry County Government Center - Administration Building

2200 North Seminary Avenue  
Woodstock, Illinois 60098



815 334-4560 Fax 815 337-3720  
[www.co.mchenry.il.us](http://www.co.mchenry.il.us)

December 22, 2003

VIA Certified U.S. Mail

David E. Anderson  
Bureau of Land  
Illinois Environmental Protection Agency  
1021 N. Grand Ave. East  
P.O. Box 19276  
Springfield, IL 62794-9276

RE: McHenry County Solid Waste Management Plan Amendment

Dear Mr. Anderson,

Please find enclosed three (3) copies of the Resolution adopting an amendment to our Solid Waste Management Plan. In accordance with the Solid Waste Planning and Recycling Act [415 ILCS 15/5 (c)], the Resolution and amendment are being sent to the IEPA for review and comment.

Should you have any questions or require additional information, please feel free to contact the Planning and Development Department at (815) 334-4560 or via email at [plandev@co.mchenry.il.us](mailto:plandev@co.mchenry.il.us).

Sincerely,

A handwritten signature in cursive script that reads "Leonore Buckley".

Leonore Buckley  
Solid Waste Coordinator/Planner

encl.

cc: SuzAnne Ehardt, Director

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## EXECUTIVE SUMMARY

In February 1992, the McHenry County Board adopted the Solid Waste Management Plan, 1990 - 2010, Phase I and Phase II (hereafter referred to as the Plan). The Plan was prepared pursuant to and in compliance with the Illinois Solid Waste Planning and Recycling Act (415 ILCS 15/1 et seq.). The Act requires that "...each county waste management plan shall be updated and reviewed every 5 years and any necessary or appropriate revisions shall be submitted to the Agency [IEPA] for review and comment." In November 1997, the McHenry County Board adopted the first five-year update, entitled the McHenry County Solid Waste Management Plan Update (hereafter referred to as the 5-Year Update). The purpose of the following report is to meet the requirements for the second five-year update (hereafter referred to as the 10-Year Update).

The McHenry County Department of Planning and <sup>Health</sup> Development is the entity responsible for implementing the Plan and preparing subsequent update recommendations on behalf of the County. The Solid Waste Coordinator is the contact staff person within the Department. *Munger*

The Department will continue to gather reference materials and informational handouts concerning source reduction and reuse, household hazardous waste, recycling, and composting, as well as disposal alternatives for hard to recycle/dispose of items.

The Department has developed educational material on a variety of waste reduction and environmental topics such as composting and the use of alternatives for certain potentially hazardous household items. These pamphlets will be updated and new materials will be prepared on an as needed basis. Future topics may include "closing the loop" and commercial waste reduction. All materials have been and will continue to be made available to the public either in written form or on the Internet.

Implementation of the Plan and Updates is funded through the County's general fund. The Solid Waste Management Fund, which consisted of fees collected from previous landfill activities (now all closed) and grant money to design and begin implementation of the Plan was exhausted in 2000.

It has been ten years since the Plan was adopted. Much has changed in the solid waste industry since the original Plan was set in place to guide development of a solid waste management system for the County. Over the last ten years markets for recyclables have risen and fallen, greatly impacting recycling collection and processing programs. The many recent

mergers among the waste hauling companies may have an effect in the future. Public awareness and education on solid waste issues has increased over the last ten years resulting in a public that has increased participation in recycling programs and demands a higher level of service and options for the many materials generated. All of these factors must be considered when updating the Plan.

Previously, the Plan contained technical information on source reduction, recycling, re-using, combustion for energy recovery or volume reduction, composting, and landfill disposal. Previous analyses regarding these technologies remain unchanged and will not be discussed further in this 10-Year Update.

The 10-Year Update includes updated population figures from the 2000 census. The population growth in McHenry County was not predicted in either the original Plan or 5-Year Update. Therefore, the 10-Year Update will incorporate new population projections and forecast disposal needs during the planning period from 2002 to 2015 for McHenry County.

The 10-Year Update also includes updated waste diversion goals for the County. A detailed review of waste generation and recycling activities of each of the sectors (i.e. residential, commercial, and construction or demolition) that make up the municipal solid waste total was performed. From this study, attainable diversion goals for each sector were developed. The result is a countywide diversion goal for each year between 2002 and 2015.

No significant federal or state legislation regarding the management of solid waste has been passed since the 5-Year Update was adopted. However, the state did promulgate new rules and regulations. Most of these amend the Illinois Environmental Protection Act.

At the County level, the Residential Recycling Ordinance was updated and the Municipal Waste Hauler Licensing Ordinance was created. Previously, the requirements for hauler licenses were included in the Residential Recycling Ordinance.

In 2002, every residence, whether single-family, duplex or multi-family, have options for curbside collection of waste and recyclables available to them. In addition, residents have alternative disposal methods available to them for such items as used oil, latex and oil-based paints, electronic components, and yard waste.



No new landfill development is foreseen in the near future in McHenry County. Therefore, McHenry County must rely on out-of-county landfills for its disposal needs for the planning period (2002 – 2015). However, as capacity decreases in the area, McHenry County may wish to promote the development of a transfer station(s) within its borders to assist in minimizing future disposal costs for its citizens.

Through the Department of Health, the County has maintained a delegation agreement with the State (IEPA) to conduct inspections at permitted and unpermitted solid waste sites throughout the County. This program is expected to continue.

The County shall continue to support established programs in the areas of solid waste management planning, education, and enforcement. Programs such as special collection events (e.g., household hazardous waste) will be pursued as funding allows. All programs will be continually evaluated as to their effectiveness. New programs will be considered on an as-needed basis. The 10-Year Update, along with the Plan, will be used as principal tools and guidelines for solid waste management in McHenry County during the next 5 years.

## 1.0 INTRODUCTION

### 1.1 Background

In 1985, the McHenry County Board initiated and adopted the Total Solid Waste Management Plan (not State mandated). This plan recognized the need to manage solid waste utilizing an integrated approach or mix of solid waste alternatives. The goal was to achieve self-sufficiency in managing the waste generated in the County, while reducing the amount of waste disposed of in landfills by seventy percent by the year 2005 through other solid waste management alternatives.

In February 1992, McHenry County adopted the Solid Waste Management Plan, 1990 - 2010, Phase I and Phase II (hereafter referred to as the Plan) in compliance with the Illinois Solid Waste Planning and Recycling Act (415 ILCS 15/1 et seq.). The Plan was basically an update of the 1985 planning effort. Emphasis on improved accuracy of the waste quantities generated and their composition beyond that which was performed in 1984 (for the 1985 report), was key to this effort.

The Illinois Solid Waste Planning and Recycling Act requires that "each county waste management plan shall be updated and reviewed every 5 years, and any necessary or appropriate revisions shall be submitted to the Agency for review and comment." Therefore, in 1997, an update of the 1992 Plan was developed entitled McHenry County Solid Waste Management Plan Update (hereafter referred to as the 5-Year Update). The document presented here is the McHenry County Solid Waste Management Plan - 10-Year Update (hereafter referred to as the 10-Year Update). This document has been prepared in accordance with the State of Illinois requirements.

The original Plan was approved and adopted by the McHenry County Board on February 18, 1992. The Plan recommended consideration of a waste management system that included the following components: waste reduction at the source, recycling and reusing, composting and co-composting, combustion with energy recovery or volume reduction, and landfilling. The system was designed to manage McHenry County's solid waste for at least 20 years. The overall goal of the Plan was for the County to be self-sufficient in managing the quantity of waste it produces and proper waste disposal.

The 5-Year Update was approved and adopted by the McHenry County Board on November 18, 1997. This update focused on the waste

management system identified in the Plan and added to or revised the recommendations where appropriate to meet the new conditions within the County. The recommendations included in the Plan and 5-Year Update provide direction for managing solid waste in McHenry County.

In order to keep McHenry County's waste management goals current, it is necessary to document the status of each recommendation and to revise or update where appropriate. The 10-Year Update will strive to more accurately quantify the amount of waste generated, through updating population and employment figures, and add or update recommendations to reflect the current conditions and project future conditions within McHenry County regarding solid waste.

## **1.2 10-Year Update**

The 10-Year Update has been organized based on completion of the following tasks:

- Identify changes in County population, employment, and solid waste management;
- Identify changes in County waste generation, waste composition, and diversion goals;
- Identify changes in Federal, State, and Local legislation/regulations;
- Amend the solid waste management plan configuration, based on the changes identified for the previous tasks;
- Summarize the status of and update the plan recommendations as required;
- Develop additional recommendations, as needed, to implement the solid waste management plan; and
- Develop an implementation schedule for recommendations, which meets the County's solid waste management goals.

## 2.0 UPDATED POPULATION, EMPLOYMENT AND WASTE MANAGEMENT FIGURES

### 2.1 Population

Population data provided in the 5-Year Update was based on special population estimates for specific townships performed by the U.S. Census Bureau. No dates for the special population estimates were given in the 5-Year Update. It was estimated that the population in McHenry County in 1995 was 224,677. The 5-Year Update assumed that McHenry County's population would increase, with an average growth rate of 1.29% per year, to 272,277 in 2010 [Table 3-4, 5-Year Update]. In that same table, the projected population for 2000 was 240,313.

According to the United States Census Bureau's Census 2000 figures, McHenry County's population for 2000 was 260,077. This is approximately 8.2% greater than projected in the 5-Year Update. This corresponds to an actual average annual growth rate of 3.15% between 1995 and 2000. This would suggest that McHenry County is growing much more rapidly than expected. Population projections, obtained from the Northeastern Illinois Planning Commission (NIPC), indicate that the population for McHenry County will reach 347,159 in 2020. This corresponds to an average growth rate of 1.67% per year between 2000 and 2020. The NIPC 2020 projected population is the basis for population projections for the intermediate years between 2000 and 2020.

Table 2-1 presents population projections for McHenry County. These projections are based on NIPC's current year 2020 "ORD Alternative," which assumes that all potential growth in air travel is accommodated at improved existing airports rather than with the development of a new south suburban airport.

**Table 2-1**  
**McHenry County Population Projections 2000 – 2020**

Year	2000	2005	2010	2015	2020
McHenry County	260,077	288,840	303,573	322,670	347,159

- 2000 population data obtained from the US Census Bureau (Census 2000).
- 2020 population data obtained from Northeastern Illinois Planning Commission's web page - [www.nipc.org.il.us](http://www.nipc.org.il.us).
- 2005 through 2015 population data interpolated assuming constant annual growth rate of 1.67%.

## 2.2 Employment

The 5-Year Update did not provide employment projections. Since the commercial sector has become a major source of waste generation in McHenry County, employment projections were developed for this update to better forecast commercial waste generation quantities.

According to the Bureau of Economic Analysis (BEA) of the United States Department of Commerce Regional Accounts Data report, there were 115,065 people employed in McHenry County in 1999 (the most recent data at the time of this update). Approximately 20% of these were in manufacturing positions, 1% in farm employment, and 79% in non-manufacturing/non-farming positions.

Woods & Poole Economics, Inc. reported that the average growth rate for employment in McHenry County is 2.58% between 1998 and 2005. That growth rate decreases when projections are taken to 2025 (1.82% between 1998 and 2025). The published report indicates drops in the overall percentages in manufacturing, farming, and government employment while services employment increases over the next 20 years. The annual growth rates, along with the BEA data, were used to extrapolate employment through 2020.

Table 2-2 presents employment projections for McHenry County to year 2020. These projections are based on the Woods & Poole Economics, Inc. report and on data published by the BEA.

**Table 2-2**  
**McHenry County Employment Projections 2000 - 2020**

Year	1999 <sup>1</sup>	2005 <sup>2</sup>	2010 <sup>2</sup>	2015 <sup>2</sup>	2020 <sup>2</sup>
Farm Employment	1,641	1,477	1,350	1,316	1,250
Manufacturing	23,318	27,068	28,716	30,183	31,326
Non-Manufacturing	90,106	103,313	115,039	126,444	137,490
<b>Total Employment</b>	<b>115,065</b>	<b>131,878</b>	<b>145,105</b>	<b>157,943</b>	<b>170,066</b>

1 = Data obtained from the BEA

2 = Total employment projections determined using Woods & Poole projections adjusted to BEA 1999 data. Individual employment sector projections determined using "Percent of Jobs..." published by Woods & Poole.

## 2.3 Solid Waste Management

All solid waste collection in McHenry County is performed by the private sector (with the exception of small quantities of landscape waste that are collected by municipal work crews). With the adoption of the Municipal Waste Hauler Licensing Ordinance in June 2001, all haulers collecting and transporting municipal solid waste in McHenry County must be licensed. As part of the duties of a license holder, haulers must report annually on the amount of waste collected and the amount recycled. Municipalities are requested to voluntarily report the quantities of landscape waste that they collect.

In 2000, 71% of the waste generated in McHenry County was disposed of in sanitary landfills outside of McHenry County. The remainder of the waste generated, 29%, was either recycled, land applied or composted. Table 2-3 summarizes the municipal waste generation and recycling statistics for the different sectors.

Table 2-3  
McHenry County Solid Waste Disposition – 2000

Sector	Waste Generated (tons)	Waste Recycled (tons)*	Percent Recycled (%)
Residential	140,317	65,872	47
Commercial	285,338	55,644	20
C&D	33,937	11,648	34
Total	459,592	133,164	29

\* = recycled, composted, or land applied

Figure 1 depicts waste generated in 2000 by sector.

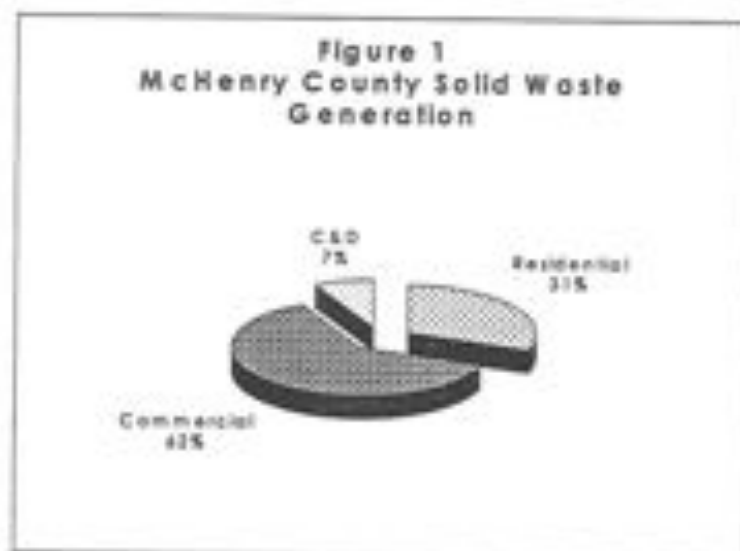
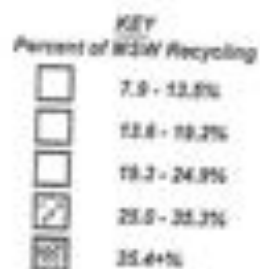
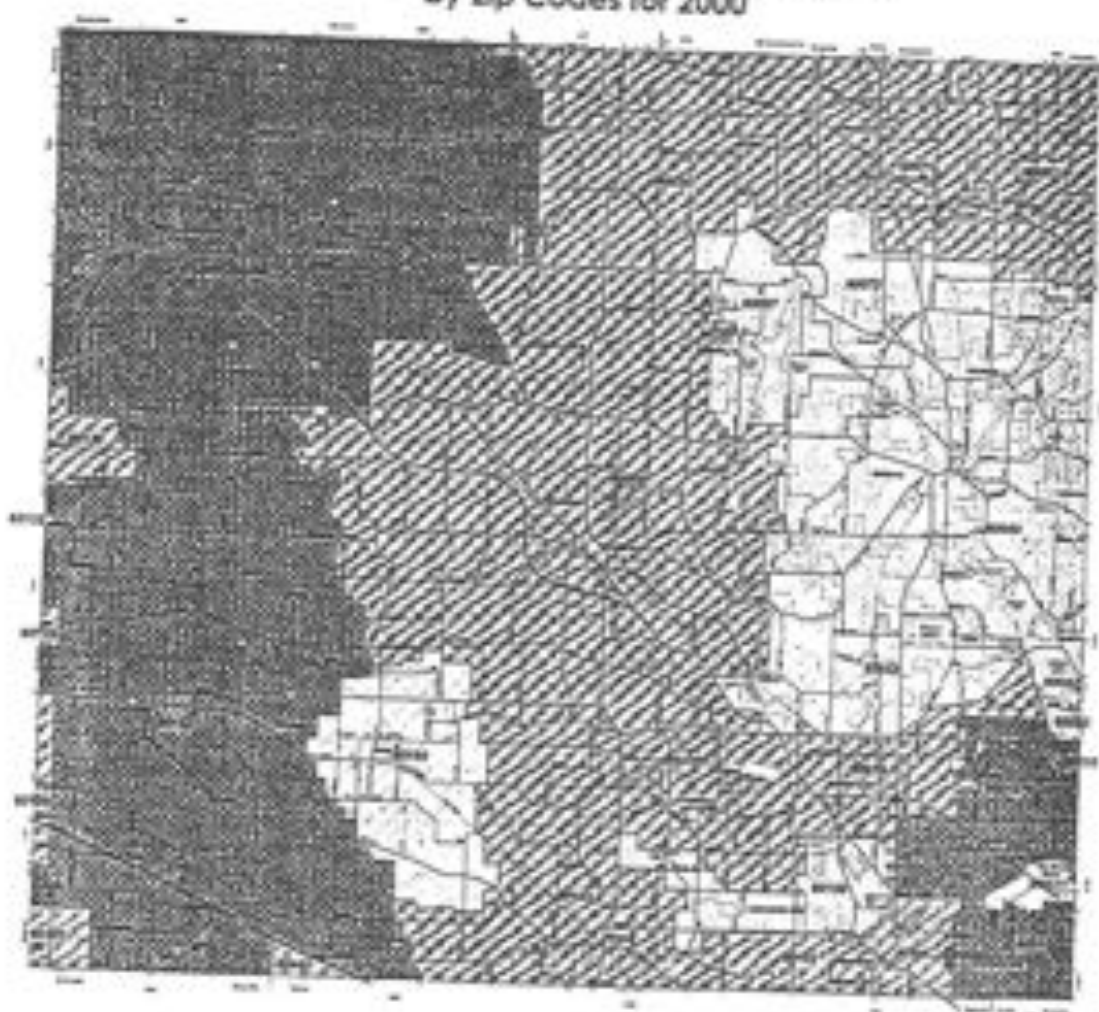




Figure 2 depicts municipal solid waste recycling rates for the year 2000 for the zip codes located in McHenry County.

**Figure 2**  
**Municipal Solid Waste Recycling Rates**  
**by Zip Codes for 2000**



Sources: Zip codes – Internet, select Postmasters, County tax database. Recycling rates based on waste hauler annual reports and commercial recycling surveys. Not to scale.

Based on the information provided by the licensed waste haulers, McHenry County waste is disposed of in seven sanitary landfills in Illinois and Wisconsin. As of January 1, 2001, the seven landfills, combined, have an estimated 7.8 years of capacity (permitted capacity) remaining. Table 2-4 summarizes information regarding sanitary landfills receiving waste from McHenry County.

**Table 2-4**  
**Remaining Capacities of Landfills Utilized by McHenry County Waste Haulers**

Landfill	Wastes accepted in 2000 (cubic yards)	Remaining capacity (cubic yards) 1/1/01	Scheduled year to close	Calculated years left*
Pheasant Run Landfill, Bristol, WI **	910,633	2,287,549	NA	3
Woodland RDF, S. Elgin, IL	861,549	2,063,000	2003	2
Kestral Hawk Landfill, Racine, WI **	458,901	6,471,405	NA	14
Winnebago Reclamation, Rockford, IL	1,098,657	7,641,000	2012	7
Settlers Hill RDF, Batavia, IL	3,920,084	19,109,000	2006	5
Onyx Landfill, Zion, IL	2,097,837	22,419,000	2012	11
Countryside Landfill, Grayslake, IL	1,529,215	24,654,000	2017	16
<b>Total</b>	<b>10,876,876</b>	<b>84,944,954</b>		<b>7.8</b>

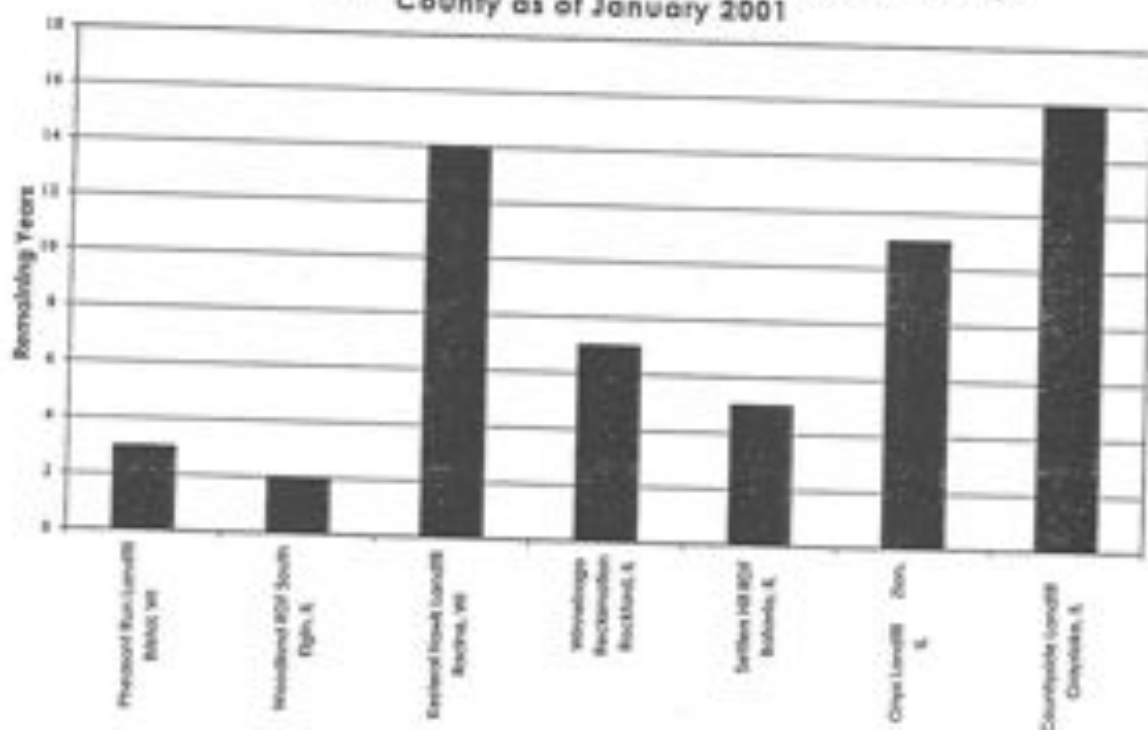
\* = based on amount of waste accepted in 2000 and remaining capacity as of 1/1/01

\*\* = 1999 Data

Source: IEPA, *Nonhazardous Solid Waste Management & Landfill Capacity in Illinois - 2000 Annual Report* and Wisconsin Department of Natural Resources. Note, the DeKalb County RDF was listed by one of the waste haulers as receiving McHenry County waste. According to the IEPA report, the DeKalb County RDF only accepts waste from DeKalb County. Therefore, that landfill was not included in the above table, nor the following figure.

Figure 3 graphically depicts the data in Table 2-4.

**Figure 3**  
**Remaining Operating Life for Landfills Servicing McHenry**  
**County as of January 2001**



As the capacity of existing landfills continues to decrease, the waste destined to be disposed of in landfills will be shipped further from the County to landfills with remaining capacity. This scenario will most certainly raise disposal fees for the citizens of McHenry County; perhaps significantly.

### 3.0 WASTE GENERATION AND COMPOSITION

#### 3.1 Waste Generation

During the preparation of the 1992 Plan, it was believed that McHenry County was at the end of a period of high growth. To that end, waste generation estimates through 2010 reflected that assumption. The 5-Year Update recognized that this assumption was incorrect and updated the projections to reflect the growth that the County was experiencing at that time. The US Census Bureau's Census 2000 population figures for the County show that the 5-Year Update did not expect the rapid population growth that the County has experienced the last five years. The actual Census figure for the 2000 population exceeds the 5-Year Update projections by approximately 8.2%.

Since 1993, haulers providing residential waste and recyclable materials collection services have been required, by Ordinance, to report annually to the County the amount of waste collected from the residential, commercial, and industrial sectors within the County. The licensed haulers were also required to provide detailed recycling data exclusively for the residential sector. Since only residential haulers were licensed and, therefore, required to report annual collection data, the information for the other sectors (i.e., haulers that serviced only commercial and/or industrial clients) was non-existent.

To obtain additional recycling data from the exempted sectors, surveys were sent to County businesses, seeking voluntarily reported data on recycling activities. In 1999, the surveys included questions about waste generation activities, as well as recycling. The partial data from the licensed hauler reports and the survey results were then compiled to obtain waste generation and recycling statistics for the commercial waste stream and the portion of the industrial waste stream that is classified as municipal solid waste.

With the adoption of the new Municipal Waste Hauler Licensing Ordinance, it is not necessary to conduct an annual survey as both residential and commercial haulers are required to be licensed and report annual statistics to the County. If a hauler services only industrial clients and collects only industrial waste, then they are not required to be licensed as the materials they are collecting and transporting are not considered municipal solid waste.

Given the familiarity of the waste haulers with the reporting procedures and requirements as compared to 1992, and the more detailed commercial

surveys as compared to 1997, the 2000 waste generation rates more accurately reflect current waste generation scenarios in McHenry County. Therefore, these more accurate, recently calculated rates will be used to project the quantities of municipal solid waste generated through the current planning period for McHenry County. In Table 3-1, the proposed waste generation rates for 2000 as presented in the Plan and 5-Year Update are compared to the 2000 calculated rates.

**Table 3-1**  
**Comparison of 2000 Generation Rates**

Sector	Plan (1992)	5-Year Update (1997)	2000 Calculated Rates
Residential	2.54 pcd*	3.25 pcd	2.96 pcd
Commercial**	1.49 pcd	1.91 pcd	6.01 pcd
Construction/ Demolition	0.73 pcd	0.66 pcd	0.72 pcd
Total MSW***	4.76 pcd	5.82 pcd	9.69 pcd

\*: pcd = pounds per capita per day

\*\* : to be consistent with the Plan and 5-Year Update, pcd was used instead of ped (ped = pounds per employee per day)

\*\*\*: MSW = municipal solid waste. The Illinois 25% Statewide-recycling goal only applies to MSW, not total solid waste. The IEPA defines MSW as "garbage, general household and commercial waste, industrial lunchroom or office waste, landscape waste, and construction or demolition debris" (415 ILCS 5/3.21). MSW does not include industrial process and manufacturing waste or special waste. Therefore, the industrial sector waste stream is not included in the above table.

The Plan's predicted generation rates for 2000 were similar to the calculated rates with the notable exception of the commercial sector. It is obvious that the increase in waste generation in the residential sector is due to the increase in population, not an increase in waste generation rates.

Table 3-2 provides historical waste generation estimates for 1997 through 2000. These data were obtained by the County from waste hauler reports and businesses in McHenry County that responded to the commercial recycling surveys.

**Table 3-2**  
**Historical Waste Generation Data (1997 – 2000)**

Year	Population	Tons Generated Per Year			Total Tons Per Day	Total Tons Per Year
		Residential	Commercial	C&D		
1997	236,082	182,121	181,613	28,436	1,074	392,170
1998	240,945	200,587	184,978	29,021	1,136	414,586
1999	246,812	115,721	249,541	30,629	1,085	395,891
2000	260,077	140,317	285,338	33,937	1,259	459,592

Source: Waste hauler annual reports and commercial recycling surveys.

Table 3-3 provides projections for municipal solid waste generation rates for the period 2001 through 2015. These projections are based on current waste generation quantities and population and employment projections as discussed in the previous section.

**Table 3-3**  
**Projected Municipal Waste Generation Rates (2001 – 2015)**

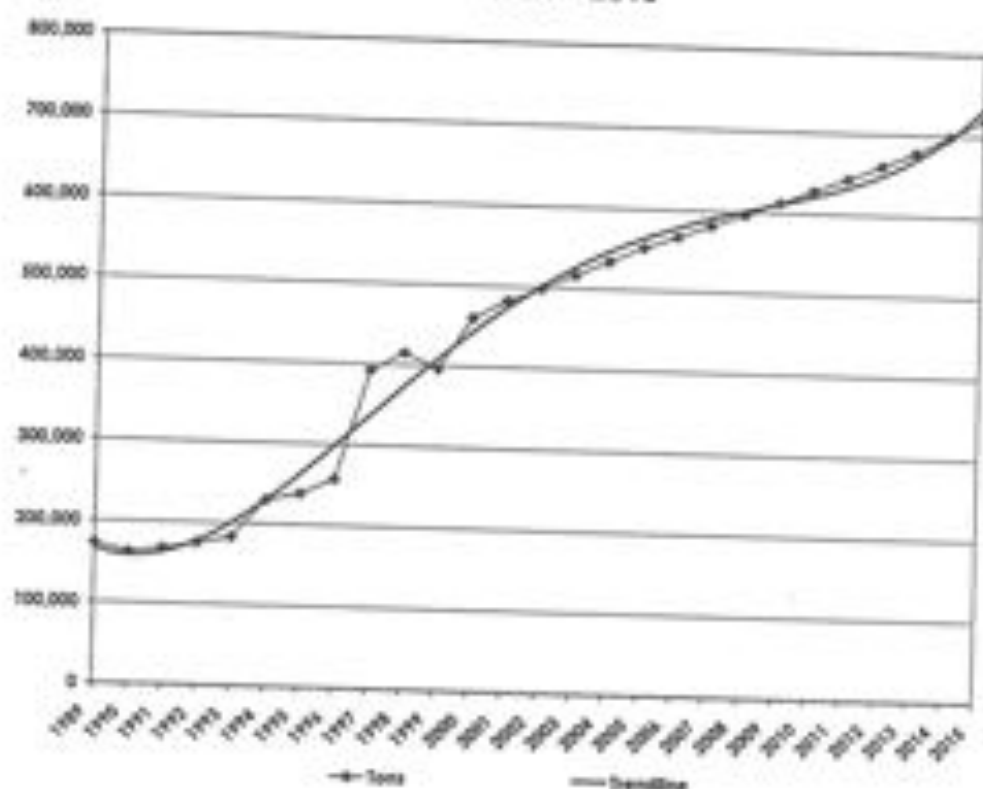
Year	Projected Population	Pounds Per Capita Per Day			
		Residential	Commercial	Construction/ Demolition	Total
2001	268,208	3.00	6.10	0.75	9.85
2002	273,223	3.04	6.18	0.76	9.98
2003	278,333	3.08	6.27	0.80	10.15
2004	283,538	3.13	6.36	0.83	10.31
2005	288,840	3.17	6.44	0.86	10.47
2006	291,728	3.21	6.53	0.89	10.64
2007	294,645	3.26	6.63	0.92	10.81
2008	297,592	3.30	6.72	0.96	10.98
2009	300,568	3.35	6.81	0.99	11.15
2010	303,573	3.40	6.91	1.02	11.33
2011	306,609	3.44	7.01	1.05	11.50
2012	309,675	3.49	7.10	1.08	11.68
2013	312,772	3.54	7.20	1.12	11.86
2014	317,683	3.59	7.30	1.15	12.04
2015	322,670	3.64	7.41	1.16	12.21



After collecting data for several years from the commercial sector, (via waste haulers annual reports mandated in the new ordinance), the generation rate will be reviewed and adjusted, as necessary, for future years.

Figure 4 graphically depicts the annual waste generation (both historical and projected) from 1989 through 2012. This graph represents all municipal solid wastes generated annually.

**Figure 4**  
**Annual Municipal Solid Waste Generation, Historical & Projected**  
**1989 - 2015**



### 3.2 Waste Composition

Waste composition studies are conducted to better understand what types and quantities of materials comprise the waste stream. The data obtained from this type of study can be used for planning purposes, such as the design of a recycling program (or adjusting an existing program). In addition, the data may be used for sizing and designing solid waste disposal facilities.

A waste composition study was performed in McHenry County in 1989, prior to the preparation of the Plan. The data collected from the study were used in both the Plan and 5-Year Update. Additionally, data obtained from a study performed in Lake County (1992 and 1993) and one performed in DuPage County (1995) were included in the 5-Year Update.

For the 10-Year Update, several data sources were utilized to determine the best current estimate of waste composition. To do this, an average was calculated from data presented in Franklin Associates' report of 1999 (national data), Lake County's 10-Year Plan Update, and McHenry County's 5-Year Update. The material categories were adjusted to correspond to data sources used. Results are presented in Table 3-4.

**Table 3-4**  
**Municipal Solid Waste Composition Data – 2000**

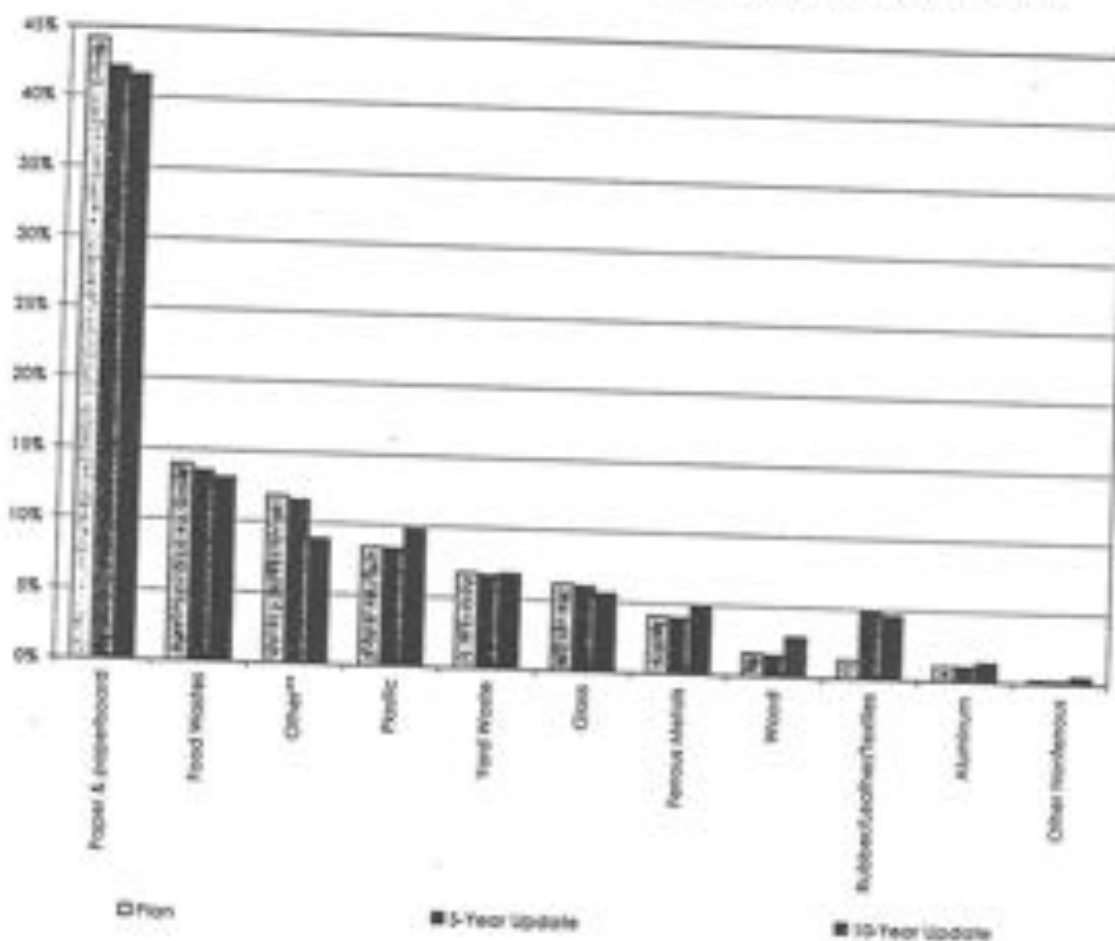
Material	Percent In Waste Stream*	Est. Tons in Waste Stream	Tons Recycled	Percent Recovered	Tons Not Recovered	Percent Not Recovered
Aluminum	1.4	6,434	1,237	19.2	5,197	80.8
Ferrous Metals	4.8	22,060	3,661	16.6	18,400	83.4
Food Wastes	13.1	60,207	1,746	2.9	58,461	97.1
Glass	5.6	25,737	7,024	27.3	18,713	72.7
Other**	8.9	40,904	7,213	17.6	33,691	82.4
Other Non-ferrous	0.5	2,298	2,083	90.6	215	9.4
Paper & Paper-board	41.6	191,190	80,682	42.2	110,508	57.8
Plastic	9.8	45,040	2,618	5.8	42,422	94.2
Rubber/Leather/Textiles	4.6	21,141	6,678	31.6	14,464	68.4
Wood	2.9	13,328	1,912	14.3	11,417	85.7
Yard Waste	6.8	31,252	18,312	58.6	12,940	41.4
TOTAL	100.0	459,592	133,164	29.0	326,428	71.0

\*: Average based on data from Franklin Associates (national data), Lake County's 10-Year Plan Update, and McHenry County's 5-Year Plan Update.

\*\* Includes electrolytes in batteries, fluff pulp, feces and urine in disposable diapers, inorganics, HHW, and miscellaneous waste.

Comparisons of waste composition data from the Plan, 5-Year Update, and this Plan Update are depicted in Figure 5.

**Figure 5**  
**Comparison of MSW Composition Between Plan and Updates**



### 3.3 Diversion Goals

Table 1 of the Plan (page i-7) provided diversion goals for a solid waste facility. In the subsequent 5-Year Update, these diversion goals were set for the County as a whole (Table 1-5, page 1-12 of the 5-Year Update). The previously set goals do not appear to be attainable given the current situation of the recycling industry (i.e., market demand, technology).

The Plan anticipated the evaluation and adjustment of the goals every five (5) years. Therefore, the diversion goals have been evaluated based on recycling industry trends over the last five (5) year period. Diversion goals

have been adjusted to attempt to account for future trends and events or economic conditions, which may not be adequately predicted at this time. Additionally, each sector that makes up the municipal solid waste stream was evaluated for their unique characterizations for diversion. Diversion goals are set for each sector thereby establishing overall diversion goals for the County.

Table 3-5 presents the revised diversion goals through 2015. As can be seen from the previous section (3.2 - Waste Composition), there is a large percentage of recyclable material not being recovered. Therefore, the following diversion goals not only match recent recycling statistics, but also appear to be attainable based on the amount of material that can be recovered (Table 3-4) but is not being presently recovered.

**Table 3-5**  
**Updated Diversion Goals 1997 – 2015**

Year	Population	Recycled (%)			Overall Recycled (%)
		Residential	Commercial	Construction/ Demolition	
1997	236,082	22.4	20.7	25.6	21.9
1998	240,945	31.5	30.7	27.4	30.9
1999	246,812	41.9	20.4	53.9	29.3
2000	260,077	46.9	19.5	34.3	29.0
2001	268,208	50	25	30	33
2002	273,223	50	30	30	36
2003	278,333	50	30	35	36
2004	283,538	55	35	35	41
2005	288,840	55	35	40	41
2006	291,728	55	40	40	45
2007	294,645	60	40	45	46
2008	297,592	60	45	45	50
2009	300,568	60	45	50	50
2010	303,573	60	50	50	53
2011	306,609	60	50	55	53
2012	309,675	60	55	55	56
2013	312,772	65	55	60	58
2014	317,683	65	60	60	61
2015	322,670	65	60	65	62

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## **4.0 CHANGES IN LOCAL, STATE AND FEDERAL LEGISLATION**

### **4.1 Local Regulatory Changes**

Since the 5-Year Update, changes have been made to the local ordinances regarding the management of solid waste. Specifically, the Residential Recycling Ordinance was updated to include cardboard, mixed fiber, and plastics #1 and #2 as local mandatory recyclables. Clarification changes were also made, such as, but not limited to, the recycling responsibilities of multi-family owners and tenants. Additionally, the waste hauler-licensing portion of the ordinance was re-drafted into a stand-alone ordinance. Significant changes to this Ordinance include:

- adding commercial-only haulers to those requiring a County license; and
- requiring residential haulers that provide regularly scheduled collections in unincorporated areas or those who service incorporated areas without a contract, to offer either unit-based pricing or pay-as-you-throw pricing options in addition to the flat-rate pricing program.

Copies of the updated ordinances are included in Appendix A.

### **4.2 State Regulatory Changes**

No significant legislation was enacted regarding the management of solid waste at the state level since the preparation of the 5-Year Update. However, there have been new rules and regulations promulgated.

#### **1997**

In 1997, many amendments were made to the Illinois Environmental Protection Act (415 ILCS). Following is a summary of those amendments:

- 415 ILCS 20/3, PA90-0180  
Amends the Illinois Solid Waste Management Act to require the Department of Central Management Services to implement aluminum can recycling programs in all State buildings. Passed and effective July 23, 1997.
- 415 ILCS 5/21, PA90-0344  
Amends the Illinois Environmental Protection Act. Provides that no person shall conduct an operation for the receipt, transfer, recycling, or other management of construction debris without maintenance of load tickets and other manifests reflecting receipt of the debris from the hauler and



generator of the debris. Provides that no person shall conduct any generation, transportation, or transfer of any construction or demolition debris without the maintenance of load tickets and manifests reflecting the transfer, disposal, or other disposition of the debris. Passed August 8, 1997, effective January 1, 1998.

- 415 ILCS 5/39.2, PA90-0409

Amends the local siting review provisions of the Illinois Environmental Protection Act. For a host agreement between a local siting applicant and a municipality or county board reviewing the application, any negotiations toward and terms of a host agreement are disclosed in the record of local siting proceedings. In addition, it is required that the county board or governing body of a municipality and the siting applicant jointly prepare a written summary of the terms and conditions of an oral host agreement entered into before a final local siting decision has been made. Passed and effective on August 15, 1997.

- 415 ILCS 5/22.23a, PA90-502

Amends the Illinois Environmental Protection Act. Provides for the designation of hazardous fluorescent and high intensity discharge lamps as universal waste and requires the Pollution Control Board to adopt rules for the management of those lamps as universal waste within 240 days of the effective date of the amendatory Act. Passed and effective on August 19, 1997.

-Note: the Illinois Pollution Control Board defined the rules for managing mercury-containing lamps on April 2, 1998.

- 415 ILCS 5/22.19a, 22.19b, and 39.2, PA90-0503

Amends the Illinois Environmental Protection Act to prohibit the development of sanitary landfills and waste disposal sites, except under specified conditions, within the boundary of the 100-year floodplain. Requires the Illinois Environmental Protection Agency to propose, and the Pollution Control Board to adopt, rules concerning financial assurance mechanisms to address the risks posed by flooding to sanitary landfills and waste disposal sites located within the boundary of the 100-year floodplain. Passed and effective on August 19, 1997.

- 415 ILCS 5/39, PA90-0537

Amends the Illinois Environmental Protection Act. Provides that local siting approval is transferable to a subsequent owner or operator. Requires the Illinois Environmental Protection Agency to evaluate the prior experience in waste management of a prospective operator of a waste transfer station or incinerator facility before issuing a permit to the

prospective operator. Requires the Agency to evaluate the waste management history of the subsequent owner of a facility, which has already been subject to local siting review, before issuing a permit to the subsequent owner. Requires the Agency to evaluate the prior waste management experience of a prospective owner or operator of a waste transportation operation before it issues an RCRA or any permit to the prospective owner. Specifies that the Agency may grant a development or construction permit on application by the subsequent owner of a facility for which local siting approval was granted to the prior owner. Provides that a subsequent owner of a pollution control facility, upon application for an Illinois Environmental Protection Agency permit, shall notify the county board or governing body of the municipality that granted approval for the facility and any party to the original siting proceeding. Requires the Agency to conduct an evaluation of a prospective operator's prior waste management experience in the case of a sanitary landfill, waste treatment facility, and waste storage site. Passed and effective on November 26, 1997.

#### 1998

Following are the rules and regulations promulgated by the State in 1998:

- 50 ILCS 520/1, PA90-0146  
Creates the Soybean Ink Act. Requires contractors to use soybean oil-based ink in providing printing services for units of local government and school districts unless the local government or school district determines another type ink is required for quality or cost reasons. Passed on July 23, 1997, effective on January 1, 1998.
- 415 ILCS 5/39.2, PA90-0217  
Amends the Illinois Environmental Protection Act. Requires notice of a public hearing on local siting to be provided no later than 14 days before the hearing to contiguous municipalities and to the county board of a county where the site is to be located if the proposed site is located in a municipality. Allows representatives of the county board of a county in which a proposed site is to be located, if the proposed site is located within a municipality, to participate in the public hearing. Passed on July 25, 1997, effective on January 1, 1998.
- 415 ILCS 5/3.78 and 3.78a, PA90-0761  
Amends the Illinois Environmental Protection Act. Deletes provisions prohibiting a person from conducting an operation for the receipt, transfer, recycling, or other management of construction or demolition debris without maintenance of load tickets and certain other manifests.

Requires a person who conducts generation, transportation, or recycling of construction or demolition debris to maintain certain identifying documentation for 3 years. Exempts certain facilities that use construction debris for certain specified uses from the documentation requirement. Provides that certain provisions concerning maintenance of identifying documentation shall not apply to generation or recycling of clean construction or demolition debris in certain circumstances. Provides that certain provisions concerning the generation, transportation, or recycling of construction or demolition debris shall also apply to uncontaminated soil generated during construction, remodeling, repair, and demolition of utilities, structures, and roads that is not commingled with any waste. Provides an exemption from the documentation requirement for construction or demolition debris for the Illinois Department of Transportation. Provides that the terms "generation" and "recycling" do not apply to clean construction or demolition debris when milled asphalt or crushed concrete is used as aggregate in constructing the shoulder of a roadway. Removes uncontaminated soil that is not commingled with any general construction or demolition debris or other waste from the definition of "general construction or demolition debris". Replaces "dirt and sand" with "soil" and removes soil that is not commingled with any clean construction or demolition debris or other waste from the definition of "clean construction or demolition debris". Passed and effective on August 14, 1998.

#### 1999

Following are the rules and regulations promulgated by the State in 1999:

- 415 ILCS 5/21, PA91-0072  
Amends the Illinois Environmental Protection Act. Provides that no person shall cause or allow the open dumping of waste in a manner that results in deposition of general or clean construction or demolition debris. Passed and effective on July 9, 1999.
- PA91-0167  
Creates the Recycled Content Products Study Act. Establishes a task force to study and assess the existing market for products containing recycled materials. Directs the task force to consider the establishment of various marketing programs, technical assistance programs, and incentive programs to promote the use of products containing recycled materials. Requires the task force to report its findings and recommendations to the Governor and General Assembly no later than July 1, 2000. Effective July 16, 1999. To have been repealed January 1, 2001.

- 415 ILCS 5/22.19b, PA91-0588

Amends the Illinois Environmental Protection Act. Provides that a sanitary landfill or waste disposal site that is a pollution control facility that ceased accepting waste on or before August 19, 1997 or any part of a sanitary landfill or waste disposal site that is a pollution control facility that ceased accepting waste on or before August 19, 1997 may be located within the boundary of the 100-year floodplain. Provides that for sanitary landfills and waste disposal sites located within the boundary of a 100-year floodplain, the owner or operator must address certain inspection and monitoring costs in the facility postclosure care plan and the postclosure care cost estimate. Provides the owner or operator must provide certain financial assurance. Provides that the owner or operator of a facility located in a 100-year floodplain must repair damage caused by a 100-year flood if notified by the Agency. Passed and effective on August 14, 1999.

## 2000

Following are the rules and regulations promulgated by the State in 2000:

- 20 ILCS 605/605-75, PA91-0853

Amends the Civil Administrative Code of Illinois. Transfers the Lieutenant Governor's powers and duties under the Keep Illinois Beautiful program to the Department of Commerce and Community Affairs and its Director. Passed and effective July 1, 2000.

- 415 ILCS 5/3.78a, PA91-0909

Amends the Illinois Environmental Protection Act. Makes a change in the definition of "clean construction or demolition debris". Provides that material from certain construction or demolition sites used on the same site as an above-grade mound lower than 20 feet is not waste. Passed and effective on July 7, 2000.

## 2001

Following are the rules and regulations promulgated by the State in 2001:

- 415 ILCS 5/55.3, PA92-0024

Amends the Used Tires Title of the Illinois Environmental Protection Act. In the definition of "tire storage site", changes the provision excluding any site at which both new and used tires are sold at retail in the regular course of business, and at which not more than 250 used tires are kept at any time to instead exclude any site at which tires are sold at retail in the

regular course of business, and at which not more than 250 used tires are kept at any time. Changes the definition of "used tire" from a worn, damaged or defective tire which is not mounted on a vehicle wheel rim to a worn, damaged, or defective tire that is not mounted on a vehicle. Provides that the Illinois Environmental Protection Agency may enter into a written reimbursement agreement with the owner or operator of a site with more than 250,000 passenger tire equivalents who has received notice from that Agency that the used or waste tires pose a threat to public health or the environment or that there is no owner proceeding in accordance with an approved tire removal agreement. Provides that the written reimbursement agreement shall provide a schedule, which shall not exceed 5 years in length, for the owner or operator to reimburse the Illinois Environmental Protection Agency for costs incurred for preventive or corrective action. Passed June 28, 2001, effective July 1, 2001.

- 415 ILC 5/22.28a, PA92-0447  
Amends the Illinois Environmental Protection Act with respect to the handling of large appliances ("white goods") by junkyards and scrap dealers. Amends the Illinois Environmental Protection Act with respect to the disposal of large appliances ("white goods"). Passed and effective on August 21, 2001.

#### **4.3 Federal Regulatory Changes**

No significant federal legislation regarding the management of solid waste has been passed since the 5-Year Update.



## **5.0 MUNICIPAL SOLID WASTE MANAGEMENT STRATEGY**

The type of information presented in Sections 2 and 3 was used in the development of the management scenarios in the 5-Year Update. As part of the 10-Year Update, it is appropriate to re-visit those scenarios and associated recommendations. This chapter will summarize the 5-Year Update scenarios, provide updates to the recommended actions, and provide new recommendations, as necessary, to support the revised scenarios. Appendix B includes an action plan which offers some methods for implementing the recommendations in this 10-Year Update.

### **5.1 Waste Management Scenarios**

The 5-Year Update consisted of the following waste management scenarios:

#### **Waste Reduction at the Source**

- educate and encourage the public on waste reduction efforts;
- expand internal waste reduction programs throughout all County offices; and
- provide technical assistance for industries and businesses to initiate and maintain reuse and recycling efforts.

#### **Recycling and Reuse**

- continue to require separation of designated mandated recyclable materials;
- separate all recyclable waste in McHenry County;
- increase the quantities of recycled materials by increasing commercial and C&D recycling activities and by composting food waste;
- expand County government facilities internal recycling efforts;
- develop recycled product procurement bid specification guidance documents (i.e., create markets for recycled products);
- support the operator of the composting facility in northeast McHenry County;
- develop incentives for businesses and institutions to improve the response rate for the commercial recycling survey or hire additional survey staff and increase project funding;
- show local support for household hazardous waste collection programs in order to obtain additional state resources and provide local funding to expand the program in McHenry County; and
- consider the necessary ordinances to meet the recycling goals established by the County in the Plan.

#### **Combustion with Energy Recovery**

- not pursued at the time of the 5-Year Update.

#### Combustion for Volume Reduction

- not pursued at the time of the 5-Year Update.

#### Disposal in Landfills

- review existing Waste Disposal Facility Siting guidelines; and
- develop a transfer station in McHenry County to ease travel costs to out-of-county landfills.

For the 10-Year Update, alternative disposal technologies will be added to the waste management scenarios. The County will evaluate new technologies as they emerge and research the appropriateness of the technology for the needs of McHenry County.

#### 5.1.1 Waste Reduction at the Source

As presented in the Illinois Solid Waste Management Act, source reduction is the preferred method of waste management as it prevents the initial generation of waste by reducing the volume and toxicity at the source. McHenry County recognizes the importance of waste reduction and has made it the top priority of the solid waste management plan.

Waste reduction at the source can also be referred to as "front-end" source reduction. The concept consists of assessing operating behaviors and seeking opportunities to reduce the amount of waste generated from the start (e.g. coffee mugs instead of styrofoam cups, double-side copying, buying in bulk, etc.).

Not referred to in the 5-Year Update was the concept of "back-end" source reduction. This concept assesses an existing waste stream with options to reuse or recycle materials instead of disposing of them in the landfill. As can be seen, source reduction encompasses a variety of activities, which can be utilized as the "umbrella" for the entire arena of recycling, reusing and reducing waste.

One method of raising the general public's awareness of the cost of solid waste handling, and, thus the benefits of source reduction, is to charge customers for the amount of waste to be handled. This method of billing is generally referred to as "pay-as-you-throw" (PAYT), and is promoted as a fair, garbage-reducing method that places the decision about garbage generation, and the fiscal responsibility for the amount created, on the customer.



Backyard composting of food and landscape waste is a common and fairly simple method of source reduction. Composting recovers the nutrient value from waste materials. In a compost pile, the waste materials are broken down into a uniform product which can then be used as a fertilizer and soil conditioner.

"Grasscycling" is another method of source reduction of yard waste. "Grasscycling" involves the frequent cutting of the lawn grass and leaving the clippings on the lawn to degrade naturally and act as a fertilizer.

Currently, there are no reliable methods to quantify source reduction. A business may be able to track and quantify cost savings from the implementation of a source reduction program. However, the generation of statistically relevant or accurate data on source reduction activities and impacts of the general public is, to all intents and purposes, impossible.

#### 5-Year Update Recommendations

The 5-Year Update recognized the need to decrease the amount of waste that is generated throughout the County. The following recommendations were made to encourage waste reduction:

- Increase public education and awareness of waste reduction at the source;
- Increase source reduction and recycling among Government buildings; and
- Educate the commercial/industrial sector on waste reduction strategies.

Table 5-1 provides the status of the 5-Year Update recommendations.

**Table 5-1**  
**Status of 5-Year Update Recommendations for Source Reduction**

5-Year Update Ref. Number	Recommendation	Status of Completion
6.2.1 #1	Distribute education materials to McHenry County households through the School Recycling Education Program and other means. Increase funding for the School Recycling Education Program.	Completed: source reduction and composting pamphlets have been developed for distribution. The School Recycling Education Program changed its name to the McHenry County Schools Environmental Education Program and is still promoting the 3 Rs. The County, as well as other public and private entities in the county, are providing continual financial assistance to this program.
6.2.1 #2	Develop and distribute, to County employees, a waste reduction flier. Increase visibility of recycling containers in the Government Center and in other County buildings.	Completed: an employee recycling committee has been formed. A source reduction pamphlet has been developed for distribution to all current and newly hired employees. The information is also available on the Intranet. Each County Department has a recycling coordinator. Additional recyclable materials have been added to the waste and recycling services contract. Additional containers have been purchased.
6.2.1 #3	Educate the commercial/industrial sector on waste reduction strategies by working with successful industries in co-sponsoring seminars.	Initiated: presentations have been made to commercial/ industrial sector groups. The Department continues to offer waste audits to the commercial/ industrial sector.

10-Year Update Recommendations

- #2002-1      The County should continue to encourage programs that concentrate on waste reduction as the first priority in solid waste management efforts.

- #2002-2 Encourage municipalities within the County to establish pay-as-you-throw techniques as the basis for residential waste collection. The County should provide education to municipal officials regarding pay-as-you-throw techniques and provide other assistance as needed.
- #2002-3 Encourage commercial and industrial establishments, institutions, government agencies, and other non-residential entities to implement source reduction programs. The County should continue to offer waste audits and assistance to these entities.

### **5.1.2 Recycling and Reuse**

Recycling is the process of recovering a material from the waste stream for processing into another usable product. This method of decreasing the amount of material in the waste stream helps conserve landfill space, saves energy (generally, it takes less energy to make a product from recycled material than virgin material), and saves non-renewable resources (such as mining bauxite for aluminum). The State of Illinois has set a statewide goal to recycle 25% of the municipal solid waste generated. To achieve this goal and for recycling to be effective, the three following activities must take place: 1) recyclable materials must be collected from or dropped off by residents; 2) recycled materials must then be processed and made into a product; and 3) the products made from recycled materials must have a profitable market in order to complete the cycle and "close the loop." McHenry County must increase the promotion of activities numbers 2 and 3.

To determine the recycling rate for the County, the quantity of materials recycled is divided by the quantity of waste generated (including the recyclable materials). There have always been deficiencies in the determination of the total waste generation number (the denominator). In the past, the estimated per capita generation figure, as determined in the Plan, was used to calculate the denominator. In recent years, the denominator was calculated from the data provided by the waste haulers and commercial surveys. This method of data collection indicated that the per capita numbers estimated in 1992 were fairly accurate for the residential and construction or demolition sectors and were low for the commercial sector. A larger miscalculation in the Plan was the population growth for the County. It should be noted that the accuracy of the denominator will always be limited due to the regional nature of waste handling and the difficulty associated with determining volumes generated within McHenry County borders.

Reuse defines the use of a product more than once in its same form for the same purpose. A wood pallet sent back to the sending company is "reused" when it is again used to send the next shipment. As with source reduction, it is nearly impossible to accurately track and quantify the impacts of waste reuse. Reusing an item does not qualify for recycling and is not added to the numerator in the recycling rate equation. However, reuse is recognized as an important activity in decreasing the amount of waste entering landfills.

#### 5-Year Update Recommendations

The reusing and recycling of waste materials have been proven methods of decreasing the waste generated in McHenry County. The 5-Year Update recommended the following to encourage reusing and recycling:

- Increase the list of the County Ordinance-mandated recyclable materials;
- Develop Commercial Recycling Strategies;
- Increase awareness of the County government recycling program;
- Study feasibility of C&D recycling options;
- Expand waste hauler licensing program;
- Expand HHW and IEPA paint recycling program; and
- Develop a recycling program that complies with the State of Wisconsin requirements.

Table 5-2 provides the status of the 5-Year Update recommendations.

**Table 5-2**  
**Status of 5-Year Update Recommendations for Recycling and Reusing**

5-Year Update Ref. Number	Recommendation	Status of Completion
6.2.2 #1	Expand the Residential Recycling Ordinance to require residents to separate cardboard, magazines, chipboard, phone books, and office paper. In addition, require residents to also separate plastics consisting of HDPE, PET, and other plastic containers.	Completed: In 2001, the Ordinance was updated to include additional mandated recyclable materials. The additional items are cardboard, mixed fiber materials, #1 and #2 plastics, phone books, and other paper.
6.2.2 #2	Appoint a Task Force consisting of business and industry officials to develop Commercial Recycling Strategies to include a model Commercial Recycling Ordinance. Consider the feasibility of C&D recycling options.	Initiated: a study was performed to determine the feasibility of a commercial recycling ordinance. The study included surveying local waste haulers, commercial/industry groups, and special interest groups. A commercial recycling ordinance is being prepared.
6.2.2 #3	Develop employee recycling recognition program, conduct office walk through to determine areas of improvement, and increase visibility of recycling containers.	Initiated: an employee recycling committee was formed. Future projects for the committee include office waste audits and employee recycling recognition awards. Additional recycling containers have been purchased.
6.2.2 #4	Expand internal recycling efforts.	Ongoing: recycling coordinators have been selected for each County Department. Additional recyclable materials have been added to the waste and recycling services contract.

**Table 5-2, con't.**  
**Status of 5-Year Update Recommendations for Recycling and Reusing**

5-Year Update Ref. Number	Recommendation	Status of Completion
6.2.2 #5	Appoint a Task Force consisting of homebuilders, contractors, etc. to study the feasibility of C&D recycling options.	Pending: this recommendation has not been initiated.
6.2.2 #6	Study feasibility and benefits of licensing other generators such as landscape companies and grease renderers as part of the Commercial Recycling Task Force Project.	Completed: in 2001, the Waste Hauler Licensing Ordinance was separated from the Residential Recycling Ordinance. The updated Licensing Ordinance requires that <u>all</u> municipal waste haulers operating in McHenry County must be licensed and provide annual reports. Additionally, residential waste haulers must provide, as an option, pay-as-you-throw or variable rate pricing in addition to the flat fee pricing method (unincorporated or incorporated without a contract areas only).
6.2.2 #7	Support the operator of the composting facility in northeast McHenry County in regard to their IEPA applications to expand the facility.	Completed: the application was reviewed. Since the facility is located within a municipality, the County is limited in its amount of involvement.
6.2.2 #8	Develop incentives for businesses and institutions to improve the response rate to the voluntary commercial recycling survey. And/or continue to hire additional survey staff. Increase project funding.	Completed: with the update of the Waste Hauler Licensing Ordinance, the surveys are no longer necessary (the haulers will provide annual reports).



**Table 5-2, con't.**  
**Status of 5-Year Update Recommendations for Recycling and Reusing**

<b>5-Year Update Ref. Number</b>	<b>Recommendation</b>	<b>Status of Completion</b>
6.2.2 #9	Continue to submit applications to the IEPA to conduct one-day HHW collection events each year, and continue to expand present IEPA Paint Recycling Program operating in McHenry County.	Ongoing: an application for a HHW event has been submitted to the IEPA. McHenry County is a finalist for an IEPA-sponsored HHW event in 2002. Several townships and businesses participate in the IEPA Paint Recycling Program.
6.2.2 #10	Develop a recycling program that is in compliance with the State of Wisconsin requirements after the Task Force on Commercial Recycling has had an opportunity to reassess recycling goals.	Partially initiated: from late 1995 through a portion of 1996, Wisconsin banned any waste from communities without approved recycling programs. Since that restriction was overturned in federal court, it no longer appears necessary to initiate this recommendation. The recycling goals identified in the Plan have been reassessed and are provided in this Update.

**10-Year Update Recommendations**

- #2002-4      The County should promote and encourage businesses that process recycled material and those that manufacture products with post-consumer recycled materials. The County should encourage local municipalities to do the same.
- #2002-5      Document the formation and function of the County employee recycling committee to be used as a model for other entities and institutions.
- #2002-6      The County Employee Recycling Committee should continue to promote reduce, reuse and recycle activities within the County



Departments using incentives such as recognition awards and tools such as the Intranet.

- #2002-7 Continue to publicly recognize businesses, institutions, government agencies and other non-residential entities for their recycling efforts through the use of awards.
- #2002-8 Consider developing an ordinance which would require the recycling of at least one material by commercial establishments.
- #2002-9 Develop and promote purchasing ordinances which require/encourage the purchase of recycled content products for use by County agencies. Make the ordinance available as a model for other agencies to utilize. Explore the possibility of making this a requirement to outside agencies that are partially funded by the County.
- #2002-10 Require developers, as a condition of receiving a building permit, to submit a plan for the recovery of building materials throughout the construction or demolition process. Encourage municipalities to require the same.

#### 5.1.3 Combustion with Energy Recovery or for Volume Reduction

Waste to energy (WTE) is the production of electricity and steam from the combustion of solid waste. WTE facilities typically require more extensive environmental processes than landfilling, thus making them less desirable and more costly to operate. WTE facilities are generally not considered a competitive alternative disposal method due to the higher tipping fees. In the future, as landfill space decreases and landfill tipping fees rise, or if new WTE technology becomes available which decreases the relatively large capital and operational costs associated with WTE, WTE facilities may become a viable disposal alternative.

#### 5-Year Update Recommendations

No recommendations were made in the 5-Year Update regarding WTE facilities.

#### 10-Year Update Recommendations

No recommendations.

#### 5.1.4 Disposal in Landfills

Landfilling is the predominate method of disposal in the United States. In 1999, approximately 57% of the waste generated in the United States was disposed of in a landfill, 28% was recycled (including composting), and 15% combusted. In Illinois, landfilling is slightly more prevalent with 63% of the waste generated in 1999 disposed of in a landfill. In 2000, approximately 71% of McHenry County's municipal waste was disposed of by landfilling.

Although source reduction, reuse, recycling, and composting can divert large portions of municipal solid waste from landfill disposal, some waste still must be placed in landfills. Modern landfills are well-engineered facilities that are located, designed, operated, monitored, closed, cared for after closure, cleaned up when necessary, and financed to insure compliance with federal regulations. The federal regulations were established to protect human health and the environment. In addition, these new landfills can collect potentially harmful landfill gas emissions and convert the gas into energy.

#### 5-Year Update Recommendations

The Plan had indicated that the overall goal of the County was "...to be self-sufficient in managing the quantity of waste it produces and its proper disposal..." It was an objective of the Plan that "McHenry County should have facilities available within the County able to dispose of the quantity of wastes it produces without relying on solid waste disposal facilities in other counties." As indicated in the 5-Year Update "The development of a sanitary landfill in McHenry County was considered in the late 1980's/early 1990's. Public disapproval was significant such that the siting process was halted." Subsequent attempts to site a landfill in McHenry County met with the same level of public opposition.

The following recommendations were made in the 5-Year Update regarding disposal in landfills:

- Review the existing Waste Disposal Facility Siting Guidelines; and
- Explore the possibility of the development of a transfer station.

Table 5-3 provides the status of the 5-Year Update recommendations.

**Table 5-3**  
**Status of 5-Year Update Recommendations for Disposal in Landfills**

5-Year Update Ref. Number	Recommendation	Status of Completion
6.2.5 #1	Review existing Waste Disposal Facility Siting Guidelines. Include a statement within the plan introduction where McHenry County reaffirms the landfill siting policy as found within the 1992 Solid Waste Management Plan.	Ongoing: the siting guidelines as well as the Regional Pollution Control Facility Siting Ordinance have been reviewed. Legal opinions have been given and draft changes have been made.
6.2.5 #2	The development of a transfer station may reduce travel costs. The County will attempt to meet the recycling standards set forth by the State of Wisconsin.	Incomplete: the County has chosen to allow private firms to manage the disposal of waste in McHenry County. As such, the development of a transfer station would need to be initiated by a private firm. No such attempts have been made other than a landscape waste-only transfer station in Nunda Township. From late 1995 through a portion of 1996, Wisconsin banned any waste from communities without approved recycling programs. Since that restriction was overturned in federal court, it no longer appears necessary to implement this recommendation.

### 10-Year Update Recommendations

- #2002-11 Implement source reduction, reuse, recycling, and composting programs to reduce dependence on landfilling.
- #2002-12 Enter into negotiations with the owners of the sanitary landfills serving McHenry County to provide a given amount of privately owned and operated landfill disposal capacity, secured by a public contract to deliver waste.
- #2002-13 Encourage the development of transfer stations in McHenry County.
- #2002-14 Review and update the McHenry County Regional Pollution Control Facility Siting Ordinance.
- #2002-15 Review and update the Guidelines for a New Solid Waste Disposal Facility in McHenry County as deemed necessary.
- #2002-16 Mandate that the design, operation, and monitoring of any future public landfill in McHenry County shall meet or exceed the most current RCRA Subtitle D regulations developed by the United States Environmental Protection Agency and other regulations subsequently adopted by the State of Illinois.

### 5.1.5 Alternative Disposal Technologies

In the future, technologies may emerge that would assist in reducing the County's dependency on landfills. For the 10-Year Update, the recommendation is to evaluate these technologies, as they arise, for their appropriateness for meeting the County's need. The alternative technology must not be detrimental to humans or the environment.

### **5.2 Implementation Schedule**

In order to ensure the implementation of the recommendations being proposed a preliminary action schedule has been prepared. Table 5-4 provides the item numbers indicated in the previous sub-sections with timelines as follows:

**Table 5-4**  
**Implementation Schedule for 10-Year Update Recommendations**

Recommendation	Time
2002-1	Encourage programs that concentrate on waste reduction as the first priority in solid waste management efforts.
2002-2	Promote the pay-as-you-throw system as the basis for residential waste collection in all municipalities within the County.
	Educate municipal officials on pay-as-you-throw techniques and provide other assistance as needed.
2002-3	Educate commercial and industrial establishments, institutions, governmental agencies, and other non-residential entities on source reduction programs.
	Continue to offer waste audits and assistance to these entities.
2002-4	Promote and encourage businesses that process recycled material and those that manufacture products with post-consumer recycled materials.
	Coordinate the effort with municipalities and the McHenry County Economic Development Corporation.
2002-5	Document the formation and function of the County employee recycling committee to be used as a model for other entities and institutions.
2002-6	The County Employee Recycling Committee should continue to promote the 3 Rs within the County Departments using incentives such as recognition awards and tools such as the intranet.
2002-7	Continue the Reduce, Reuse, and Recycle Awards Program.
2002-8	Develop a Commercial Recycling Ordinance.
2002-9	Develop recycled product procurement policy for the County.
2002-10	Develop a recycling procedure for construction or demolition sites.

**Table 5-4, con't.**  
**Implementation Schedule for 10-Year Update Recommendations**

Recommendation		Time
2002-11	Continue to implement source reduction, reuse, recycling, and composting programs to reduce dependence on landfilling.	Ongoing
2002-12	Secure landfill space to accept waste generated in McHenry County.	2-3 years
2002-13	Encourage the development of transfer stations in McHenry County.	1-2 years
2002-14	Review and update the McHenry County Regional Pollution Control Facility Siting Ordinance.	6 months to 1 year
2002-15	Review and update the Guidelines for a New Solid Waste Disposal Facility in McHenry County as deemed necessary.	6 months to 1 year
2002-16	Verify that any proposed landfills in McHenry County are, at a minimum, designed, operated, and monitored in compliance with the most current RCRA Subtitle D regulations and other regulations subsequently adopted by the State of Illinois.	When Necessary

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# **APPENDIX A**

## **McHENRY COUNTY'S RESIDENTIAL RECYCLING ORDINANCE**

**AND**

## **MUNICIPAL WASTE HAULER LICENSING ORDINANCE**

## RESIDENTIAL RECYCLING ORDINANCE

WHEREAS, the Illinois Solid Waste Planning and Recycling Act, 415 ILCS 15/6 requires that each county waste management plan adopted shall include a recycling program designed to recycle twenty-five percent (25%) of its municipal waste; and

WHEREAS, counties are empowered by Statute, 415 ILCS 15/6, (5) to require residents of the county to separate recyclable materials at the time of disposal or trash pickup as a component of the county's recycling program; and

WHEREAS, the County of McHenry, Illinois, has adopted the McHenry County Solid Waste Management Plan whose "centerpiece" consists of the following measures to achieve and/or exceed both State and County recycling goals:

- A) All waste generated in McHenry County shall be separated.
- B) All waste disposed of in McHenry County shall be separated.
- C) All municipal waste haulers operating in McHenry County shall be licensed and required as a condition of licensing to demonstrate the means and methods proposed to accomplish the above.
- D) All municipal waste haulers receiving said license shall report on an annual basis the recovery results in terms of both material and respective tonnages to the McHenry County Solid Waste Coordinator.

WHEREAS, the County has adopted the Solid Waste Management Plan, as amended, which contains the additional following measure to achieve and/or exceed both State and County recycling goals:

- A) Expand the residential recycling ordinance to require residents to separate cardboard, magazines, chipboard, phone books and office paper. In addition, require residents to also separate plastics consisting of HDPE, PET and other plastic containers.

WHEREAS, the County of McHenry, Illinois desires to implement its recycling program within its adopted Solid Waste Management Plan, amendments thereto, and the recycling goals therein through the enactment of this Ordinance; and

WHEREAS, the McHenry County Board finds:

- A) The recycling of certain items, including, but not limited to, aluminum and tin cans, newspapers, corrugated cardboard, high

grade printing and writing paper, landscape waste, plastic and glass containers, and any and all recyclable materials, is vital to the conservation of America's natural resources; and

- B) The inclusion of recyclable materials in municipal waste generated by both the residents and businesses of McHenry County increases the volume of refuse which must ultimately be disposed of in sanitary landfills or by other means; and
- C) The continued disposal of recyclable materials generated by both the residents and businesses of McHenry County will decrease the capacity of area landfills; and
- D) By eliminating recyclable materials from the municipal waste stream, the capacity of existing landfills to serve the needs of McHenry County for disposal of non-recyclable municipal waste will be extended.
- E) It is desirable to encourage cities and villages within the County to enact ordinances meeting the same goals.

NOW, THEREFORE, BE IT ORDAINED that the following enacts the procedures to be followed for the separation and collection of municipal waste and recyclable materials generated from residential dwelling units in McHenry County.

**MCHENRY COUNTY, ILLINOIS  
RESIDENTIAL RECYCLING ORDINANCE**

**ARTICLE ONE - DEFINITIONS**

**101      DEFINITIONS, GENERAL**

- 101.1    In construction of this Ordinance, the rules and definitions contained in this Article shall be observed and applied. In further amplification and for clarity of interpretation of the context, the following definitions of words shall apply:
1.    Words in the singular shall include the plural, those in the plural number shall include the singular;
  2.    Words in the present tense shall include the past and future tenses and words in the future tense shall include the present tense;
  3.    Words used in the masculine gender shall include the feminine and neuter genders;
  4.    The words "shall" or "must" are mandatory and not discretionary; the words "may" or "should" are permissive;
  5.    Words, terms, and phrases underlined within this Ordinance are those which are defined in this Article; and
  6.    Words and phrases defined herein shall be given the defined meaning. Words or phrases not defined, yet found in this Ordinance, shall have the same meaning as found in 415 ILCS 5/3. Words and phrases not defined in either this Ordinance or 415 ILCS 5/3 shall be given their usual meaning except where the context clearly indicates a different or specified meaning.

**102      LISTING OF DEFINITIONS**

- |       |                     |  |
|-------|---------------------|--|
| 102.1 | <i>Building</i>     | Any structure designed, built, or occupied as a shelter or roofed enclosure for <u>persons</u> , animals, or property, which is permanently affixed to the land. |
| 102.2 | <i>Compostables</i> | Materials from any <u>residential dwelling unit</u> or <u>commercial</u> source that are collected separately for the purpose of <u>composting</u> .             |

- 102.3 *Composting*
- The biological treatment process by which microorganisms decompose the organic fraction of municipal waste, producing a humus-like material that may be used as a soil conditioner.
- 102.4 *Construction or Demolition Debris*
- Non-hazardous, uncontaminated materials resulting from the construction, remodeling, repair, and demolition of utilities, structures, and roads, limited to the following: bricks, concrete, and other masonry materials; soil; rock; wood, including non-hazardous painted, treated, and coated wood and wood products; wall coverings; plaster; drywall; plumbing fixtures; non-asbestos insulation; roofing shingles and other roof coverings; reclaimed asphalt pavement; glass; plastics that are not sealed in a manner that conceals waste; electrical wiring and components containing no hazardous substances; and piping or metals incidental to any of those materials. General construction or demolition debris does not include uncontaminated soil generated during construction, remodeling, repair, and demolition of utilities, structures, and roads provided the uncontaminated soil is not commingled with any general construction or demolition debris or other waste.
- 102.5 *County*
- Both incorporated and unincorporated areas of McHenry County.
- 102.6 *Curbside Collection*
- Discarded materials collected from a designated area within five (5) feet of either a street curb, or from a roadway on a curbless street.
- 102.7 *Department*
- The McHenry County Department of Planning and Development.
- 102.8 *Discarded Materials*
- All putrescible and non-putrescible municipal wastes discarded from any residential dwelling unit or commercial source including municipal waste, recyclable materials, mandatory recyclable materials and compostable materials.
- 102.9 *Dwelling, Multi-Family*
- A building containing three (3) or more dwelling units used for residential occupancy, including apartment houses, non-transient apartment hotels, rooming houses, boarding houses, fraternities, sororities,

		dormitories and similar housing types but not including hotels, motels, hospitals and foster family homes.
102.10	<i>Dwelling, Single Family</i>	A detached <u>building</u> containing only one (1) <u>dwelling unit</u> .
102.11	<i>Dwelling, Two Family</i>	A <u>building</u> containing two (2) <u>dwelling units</u> each with completely separate entrances.
102.12	<i>Dwelling Unit</i>	One (1) or more rooms in a residential <u>building</u> which are arranged, designed or used as living quarters for one (1) family. Bathroom and kitchen facilities are permanently installed.
102.13	<i>Garbage</i>	Waste resulting from the handling, processing, preparation, cooking, and consumption of food, and wastes from the handling, processing, storage, and sale of produce.
102.14	<i>Household Waste</i>	Any solid waste (including <u>garbage</u> , trash, and sanitary waste in septic tanks) derived from households (including single and multiple residences, hotels and motels, bunkhouses, ranger stations, crew quarters, campgrounds, picnic grounds, and day-use recreation areas).
102.15	<i>Institutional Waste</i>	Waste generated at institutions, such as schools, libraries, hospitals, and prisons.
102.16	<i>Landscape Waste</i>	All accumulations of grass or shrubbery cuttings, leaves, tree limbs, and other materials accumulated as the result of the care of lawns, shrubbery, vines and trees. Christmas trees are excluded.
102.17	<i>Licensed Hauler</i>	Any <u>person</u> or <u>persons</u> duly licensed in accordance with the McHenry County Municipal Waste Hauler Licensing Ordinance and other such applicable ordinances of the <u>County</u> now or hereafter in effect.
102.18	<i>Mandated Recyclable Materials</i>	Materials that are mandated by this Ordinance to be separated from <u>discarded materials</u> for the purpose of <u>recycling</u> , including but not limited to, aluminum cans, steel cans, newsprint, corrugated cardboard, plastic containers (PET and HDPE; #1 and

		#2, respectively), mixed fiber (including magazines, high grade printing and writing papers, phone books, and chipboard), and glass containers.
102.19	Municipal Waste	<u>Garbage</u> , general <u>household</u> , <u>institutional</u> and commercial waste, industrial lunchroom or office waste, <u>landscape waste</u> , and <u>construction or demolition debris</u> .
102.20	Municipal Waste Hauler	Any <u>person</u> or <u>persons</u> who engages in the business of collecting or hauling <u>discarded materials</u> on a continuous and regular basis, and makes multiple scheduled collections per month within the <u>County</u> .
102.21	Occupant	<u>Person</u> or <u>persons</u> residing in <u>residential dwelling units</u> which have either <u>curbside</u> , alley or centrally located collection services.
102.22	Person	Any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, legal entity or their legal representative(s), agent(s), or assign(s).
102.23	Recyclable Materials	Materials that are separated from <u>discarded materials</u> for the purpose of <u>recycling</u> , including but not limited to, aluminum and tin cans, newspapers, corrugated cardboard, high grade printing and writing papers, magazines, <u>landscape waste</u> , plastic and glass containers.
102.24	Recycling	The process by which <u>municipal waste</u> is collected, separated and processed for reuse as either a raw material or a product which itself is subject to <u>recycling</u> , but does not include the combustion of <u>municipal waste</u> for energy recovery or volume reduction.
102.25	Recycling Center	A site or facility that accepts only segregated, non-hazardous, non-special, homogeneous, non-putrescible materials such as dry paper, glass, cans or plastics, for short term storage for the subsequent use in the secondary materials market.
102.26	Recycling Containers	Any and all receptacles identified specifically for the containment of <u>recyclable materials</u> .



102.27	<i>Recycling Drop-Off Point</i>	A site or facility that accepts only segregated, non-hazardous, non-special, homogeneous, non-putrescible materials such as dry paper, glass, cans or plastic for temporary storage for the subsequent use in the secondary materials market.
102.28	<i>Refuse</i>	See <u>Municipal Waste</u> .
102.29	<i>Resident</i>	A <u>person</u> who dwells or has a place of abode which is occupied by that <u>person</u> for sixty (60) days or more each calendar year.
102.30	<i>Residential Dwelling Unit</i>	A <u>single</u> , <u>two</u> , or <u>multi-family dwelling</u> .
102.31	<i>Solid Waste Management Plan</i>	The officially adopted McHenry County plan and subsequent updates pursuant to the Illinois Solid Waste Planning and Recycling Act for the management of <u>municipal waste</u> generated within its boundaries.
102.32	<i>Solid Waste Coordinator</i>	The <u>person</u> hired by the <u>County</u> to oversee the implementation and management of <u>municipal waste</u> programs as specified within the <u>Solid Waste Management Plan</u> .
102.33	<i>State</i>	State of Illinois

## ARTICLE TWO – GENERAL REQUIREMENTS

### 201 SEPARATION AND COLLECTION OF MANDATED RECYCLABLE MATERIALS

- 201.1 It shall be the duty of every occupant having mandated recyclable materials which accumulate on the premises to separate these items from all other discarded materials and to store the mandated recyclable materials separately in recycling containers.
- 201.2 Collection of mandated recyclable materials from residential dwelling units shall be by a licensed hauler selected by the occupant(s) of such dwelling(s), or by an owner of such dwelling(s), or by a manager of such dwelling(s), or by an association governing such dwelling(s), or by franchise awarded by a municipality, village, or township.

- 201.3 As an alternative to Section 201.2, occupants may take recyclable materials to an established recycling center or recycling drop-off point.
- 201.4 Per the McHenry County Municipal Waste Hauler Licensing Ordinance, Article Four, Section 403.6, it shall be unlawful for any licensed hauler to collect discarded materials from any residential dwelling unit which contains visible signs of mandated recyclable materials.

### ARTICLE THREE – SINGLE AND TWO FAMILY DWELLINGS

#### 301 OWNERSHIP OF DISCARDED MATERIALS

- 301.1 Until the discarded materials are removed by the licensed hauler, the occupant who sets out the discarded materials is totally responsible for their proper preparation, handling and storage. Ownership and responsibility for the proper handling of the discarded materials shall be vested in the licensed hauler upon removal thereon.
- 301.2 It shall be the responsibility of the occupant whose discarded materials were not removed because they contained mandated recyclable materials, to properly segregate the uncollected discarded materials for proper recycling. Allowing such unseparated municipal waste to accumulate may be considered a violation of other McHenry County ordinances as well as local sanitary code(s), where applicable.

### ARTICLE FOUR – MULTI-FAMILY DWELLINGS

#### 401 RESPONSIBILITIES

- 401.1 A multi-family dwelling owner or the owner's representative is responsible for notifying and continually educating its occupants on recycling issues and practices through a formal and ongoing education campaign. Every owner or their representative shall distribute to every new occupant, within thirty (30) calendar days of occupancy, (and to all existing occupants at least annually), general recycling information and current program recycling guidelines.
- 401.2 It shall be the duty of every owner or the owner's representative of a multi-family dwelling to arrange for the collection of mandated recyclable materials from such dwelling units by a licensed hauler.
- 401.3 The multi-family dwelling owner or the owner's representative shall provide recycling service options which enhance convenience for occupants in order

to gain and maintain maximum participation in the program, thus reducing the volume of municipal waste being sent to area landfills.

- 401.4 It shall be the responsibility of the multi-family dwelling owner or owner's representative whose discarded material was not removed because it contained mandated recyclable materials, to properly segregate the uncollected discarded materials for proper recycling. Allowing such unseparated municipal waste to accumulate may be considered a violation of other McHenry County ordinances as well as local sanitary code(s), where applicable.
- 401.5 Every multi-family dwelling owner or the owner's representative must provide a Recycling Plan on the form provided by the Department within six (6) months of adoption of this Ordinance by the McHenry County Board.
- 401.6 The Recycling Plan shall include, but not be limited to, the following information:
1. Name of the property;
  2. Number of units;
  3. Number of tenants;
  4. Name of owner/managing company;
  5. Contact person's name and telephone number; and
  6. Materials to be recycled.
- 401.7 The Recycling Plan shall be maintained in effect regardless of any change of ownership or licensed hauler.
1. Any modifications made to the Recycling Plan must be submitted, in writing, to the Department within fifteen (15) calendar days of implementing the modifications.
- 401.8 Where a multi-family dwelling company manages multiple properties, the multi-family dwelling company shall provide the Department with one (1) Recycling Plan for each separate property.

401.9 The multi-family dwelling owner will not be held responsible for occupants' actual use of the recycling program, so long as the program itself has been properly set up and maintained. At a minimum, in order for a multi-family dwelling recycling program to be considered properly set up and maintained the following shall occur:

1. A copy of the recycling plan as submitted to the County, per Section 401.5 of this Ordinance, shall be maintained on file, on premises, and available for inspection;
2. Proof that notification and continuing education are occurring, per Section 401.1 of this Ordinance shall be required;
3. Proof that outdoor recycling containers have been provided and maintained in all communal outdoor receptacle areas shall be required; and
4. Proof of a valid contract with a licensed hauler within the County of McHenry with provisions for the collection of recyclable materials shall be required.

401.10 The licensed hauler providing the on-going recycling collection service shall furnish, maintain, and replace, when necessary, all common area recycling containers.

401.11 The licensed hauler shall be authorized and responsible for the collection, intermediate storage or transfer, transportation, and sale of recyclable materials to a processor, broker, or market desired for the reuse of the recyclable materials.

#### 402 OWNERSHIP OF DISCARDED MATERIALS (MULTI-FAMILY DWELLINGS)

Ownership of mandated recyclable materials set out for collection shall remain with the multi-family dwelling owner until removal by the licensed hauler. However, until the mandated recyclable materials are placed in the communal municipal waste or recycling containers, the occupant who generated the material is totally responsible for their proper preparation, handling and storage. Ownership and responsibility for the proper handling of the discarded materials shall be vested in the licensed hauler upon removal thereof.

#### 403      COLLECTION CONTAINERS

- 403.1      Communal outdoor recycling container(s) shall have adequate capacity and durability to function efficiently and meet the spatial constraints of the multi-family dwelling.
- 403.2      The communal outdoor recycling container(s) at a multi-family dwelling shall be placed in a location or locations at least as convenient to occupants as the communal outdoor municipal waste receptacles, insofar as is practical given space limitations. The multi-family dwelling owner shall maintain all communal recyclable material collection areas, including recycling containers, in a clean, sanitary and litter-free manner.

#### 404      COLLECTION OF MANDATED RECYCLABLE MATERIALS

- 404.1      Collection of mandated recyclable materials from a multi-family dwelling shall be by a licensed hauler selected by the owner or their representative, or by the manager of such multi-family dwelling, or by an association governing the multi-family dwelling, or by franchise awarded by a municipality, village, or township.
- 404.2      Recycling collection schedules and pickup locations should be mutually agreed upon by the owner or their representative, or by the manager of the multi-family dwellings, or by an association governing said multi-family dwellings and the licensed hauler. The County shall not be responsible for any conflicts, unauthorized collections, liabilities, or any other difficulties that arise between the parties.

### ARTICLE FIVE - VIOLATIONS

#### 501      VIOLATIONS

- 501.1      The Department or any of its duly authorized representatives shall issue a warning notice to any occupant observed not complying with any provision of this Ordinance. No more than two (2) written warnings shall be issued to the same occupant.
- 501.2      The Department may issue a Notice of Violation letter as shall be necessary for the enforcement of this Ordinance. Each Notice of Violation shall state the violation, the action, and time schedule required for compliance.
- 501.3      After the issuance of two (2) written warnings or Notice of Violation letters to the same occupant, the Department, its duly authorized representative, or any

licensed peace officer shall have the power to issue a Notice to Appear citing the particular section(s) of this Ordinance alleged to have been violated. This shall not permit the Department or its representatives to physically arrest or take into custody any alleged violators.

- 501.4 The County may institute appropriate actions or proceedings, including application for injunctive relief, to compel performance or other appropriate action to prevent, restrain, correct or abate any violation or potential violation of this Ordinance.

## 502 PENALTIES

- 502.1 Any person who violates this Ordinance shall be subject to a fine of not less than twenty-five dollars (\$25.00) or more than one hundred dollars (\$100.00) per observed violation.
- 502.2 Any licensed hauler who violates this Ordinance shall be subject to a fine of not less than fifty dollars (\$50.00) or more than five hundred dollars (\$500.00) per observed violation.
- 502.3 Each observed violation shall constitute a separate and distinct offense.

## ARTICLE SIX - SEVERABILITY

### 601 SEVERABILITY

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision. Such holding shall not affect the validity of the remaining portions thereof.

## ARTICLE SEVEN - PROVISIONS CUMULATIVE

### 701 PROVISIONS CUMULATIVE

The provisions of this Ordinance are cumulative and shall be additional limitations upon all other laws and ordinances covering any subject matter in this Ordinance.

## ARTICLE EIGHT - EXCEPTIONS

### 801 EXCEPTIONS

The requirements of this Ordinance shall be waived if a township or municipality adopts a recycling ordinance or program that meets or exceeds the diversion goals of the Solid Waste Management Plan as amended, and has a written agreement with the County assuming responsibility for meeting the diversion goals of the County's plan. Such township or municipality shall annually demonstrate through reporting requirements as set forth in Article 4 of the Municipal Waste Hauler Licensing Ordinance, to the McHenry County Department of Planning and Development that the township or municipality has met or exceeded the diversion goals as set forth in the Solid Waste Management Plan and amendments, thereto.

NOW, THEREFORE, BE IT FURTHER ORDAINED that this Ordinance shall become effective on June 19, 2001  
(two weeks after passage)

DATED, at Woodstock, McHenry County, Illinois on this 5th day of June, 2001.

COUNTY OF MCHENRY, ILLINOIS

by:   
Chairman, McHenry County Board

ATTEST:

by:   
McHenry County Clerk



COUNTY CLERK'S CERTIFICATION

STATE OF ILLINOIS

McHenry County, }

ss.

I,

Katherine C. Schultz

County Clerk within and for said County and State  
aforesaid, do hereby certify the foregoing to be a true and complete copy of  
Ordinance No. 0-200106-51-28 Residential Recycling Ordinance which was approved and  
adopted by the McHenry County Board at its Regular June meeting; held June 5, 2001; the  
original of which is on file and of record in this office.

IN WITNESS WHEREOF, I have hereunto subscribed my hand and affixed the official  
seal of said County, at my office in Woodstock, Illinois,  
this 11<sup>th</sup> day of June, A.D. 2001

*Katherine C. Schultz*

County Clerk

## MUNICIPAL WASTE HAULER LICENSING ORDINANCE

WHEREAS, the Illinois Solid Waste Planning and Recycling Act, 415 ILCS 15/6 requires that each county waste management plan adopted shall include a recycling program designed to recycle twenty-five percent (25%) of its municipal waste; and

WHEREAS, counties are empowered by Statute, 55 ILCS 5/5-8005 to inspect vehicles proposed to be operated for the purpose of collecting and transporting garbage, municipal waste, rubbish, animal excretion, glass or metal containers, products or objects discarded as no longer usable, paper, wood, cardboard waste, uprooted weeds, grass clippings, leaves and the like, ashes and cinders, discarded furniture or clothing, dead animals or any other discarded materials; and

WHEREAS, counties are empowered by Statutes, 55 ILCS 5/5-8002 through 8007, to regulate the activities of persons in the business of collecting and transporting such materials by requiring each such person to secure a license from the county and charging a fee therefore; and to require adherence to such reasonable standards of health and safety as the county board may prescribe and to prohibit any such person from commercially collecting or disposing of such materials without a license and when not in compliance with such standards of health and safety as may be prescribed by the county board; and

WHEREAS, the County of McHenry, Illinois, has adopted the McHenry County Solid Waste Management Plan whose "centerpiece" consists of the following measures to achieve and/or exceed both State and County recycling goals:

- A) All municipal waste generated in McHenry County shall be separated.
- B) All municipal waste disposed of in McHenry County shall be separated.
- C) All municipal waste haulers operating in McHenry County shall be licensed and required, as a condition of licensing, to demonstrate the means and methods proposed to accomplish the above.
- D) All municipal waste haulers receiving said license shall report on an annual basis the recovery results in terms of both material and respective tonnages to the McHenry County Solid Waste Coordinator.

WHEREAS, the County of McHenry, Illinois desires to implement its recycling program within its adopted Solid Waste Management Plan, amendments thereto, and the recycling goals therein through the enactment of this Ordinance; and

WHEREAS, the McHenry County Board finds:

- A) Persons or companies in the business of hauling discarded materials within McHenry County, through their municipal waste collection and transportation activities, constitute a significant component of the traffic upon County roads and State highways within this County, contributing to deteriorating air quality and road wear, and creating the potential for litter and leaking loads, so that licensing of municipal waste haulers is necessary to protect the public health and the environment and to reduce undue damage to the public infrastructure; and
- B) Persons or companies in the business of hauling municipal waste, recyclable materials and compostables within McHenry County, through their collection and transportation activities, are able to supply the County with information necessary for long-term municipal waste planning and therefore should be required to submit annual information about their hauling activities to the County; and
- C) That unit pricing for municipal waste destined to be disposed of in sanitary landfills or by other means promotes source reduction and recycling; and
- D) That the intent of this Ordinance is to: 1) reduce the volume of municipal waste, recyclables and compostables entering the municipal waste stream and landfills; 2) encourage the recycling of certain discarded materials; 3) reduce the amount of impact on residential streets caused by vehicles collecting discarded materials; 4) obtain information for long-term municipal waste planning; and 5) to protect the health, safety and welfare of the public; and
- E) It is desirable to encourage cities and villages within the County to enact ordinances meeting the same goals.

NOW, THEREFORE, BE IT ORDAINED that the following enacts the procedures to be followed for licensing of municipal waste haulers operating in McHenry County.

MCHENRY COUNTY, ILLINOIS  
MUNICIPAL WASTE HAULER LICENSING ORDINANCE

ARTICLE ONE – EXEMPTIONS

101 EXEMPTIONS

101.1 The following persons or entities shall not be subject to this Ordinance:

1. A person or company that transports its own personal or business discarded materials produced by said person or business;
2. A civic, community, benevolent or charitable nonprofit organization that collects, transports and markets recyclable materials solely for the purpose of raising funds for a civic, community, benevolent or charitable organization;
3. Demolition or construction contractors or landscaping companies that produce and transport discarded materials in the course of such occupations, where the discarded materials produced are merely incidental to the particular demolition, construction, or landscaping work being performed by such companies;
4. Companies that solely transport liquid wastes including sewage, sewage sludge, septic tank or cesspool pumpings; discarded or abandoned vehicles or parts thereof; discarded home or industrial appliances; materials used as fertilizers or for other productive purposes; household hazardous wastes; and hazardous materials as defined in the rules and regulations adopted by the Hazardous Materials Transportation Act; and
5. Any city, village, or town which collects and transports discarded materials to any disposal area maintained by such city, village, or town.

ARTICLE TWO – DEFINITIONS

201 DEFINITIONS, GENERAL

201.1 In construction of this Ordinance, the rules and definitions contained in this Article shall be observed and applied. In further amplification and for clarity of interpretation of the context, the following definitions of words shall apply:

1. Words in the singular shall include the plural, those in the plural number shall include the singular;

2. Words in the present tense shall include the past and future tenses and words in the future tense shall include the present tense;
3. Words used in the masculine gender shall include the feminine and neuter genders;
4. The words "shall" or "must" are mandatory and not discretionary; the words "may" or "should" are permissive;
5. Words, terms, and phrases underlined within this Ordinance are those which are defined in this Article; and
6. Words and phrases defined herein shall be given the defined meaning. Words or phrases not defined, yet found in this Ordinance, shall have the same meaning as found in 415 ILCS 5/3. Words and phrases not defined in either this Ordinance or 415 ILCS 5/3 shall be given their usual meaning except where the context clearly indicates a different or specified meaning.

## 202 LISTING OF DEFINITIONS

- |       |  |   |
|-------|--|---|
| 202.1 | <i>Building</i>                          | Any structure designed, built, or occupied as a shelter or roofed enclosure for <u>persons</u> , animals, or property, which is permanently affixed to the land.                          |
| 202.2 | <i>Commercial</i>                        | Any use having profit as an objective.  |
| 202.3 | <i>Commercial Customer</i>               | <u>Person</u> or <u>persons</u> engaged in business, including, but not limited to, stores, markets, offices, restaurants, shopping centers and theaters.                                 |
| 202.4 | <i>Commercial Waste</i>                  | Waste generated by <u>commercial customers</u> .  |
| 202.5 | <i>Compostables</i>                      | Materials from any <u>residential dwelling unit</u> or <u>commercial</u> source that are collected separately for the purpose of <u>composting</u> .                                      |
| 202.6 | <i>Composting</i>                        | The biological treatment process by which microorganisms decompose the organic fraction of <u>municipal waste</u> producing a humus-like material that may be used as a soil conditioner. |
| 202.7 | <i>Construction or Demolition Debris</i> | Non-hazardous, uncontaminated materials resulting from the construction, remodeling, repair, and  |

demolition of utilities, structures, and roads, limited to the following: bricks, concrete, and other masonry materials; soil; rock; wood, including non-hazardous painted, treated, and coated wood and wood products; wall coverings; plaster; drywall; plumbing fixtures; non-asbestos insulation; roofing shingles and other roof coverings; reclaimed asphalt pavement; glass; plastics that are not sealed in a manner that conceals waste; electrical wiring and components containing no hazardous substances; and piping or metals incidental to any of those materials. General construction or demolition debris does not include uncontaminated soil generated during construction, remodeling, repair, and demolition of utilities, structures, and roads provided the uncontaminated soil is not commingled with any general construction or demolition debris or other waste.

202.8	County	Both incorporated and unincorporated areas of McHenry County.
202.9	Department	The McHenry County Department of Planning and Development.
202.10	Discarded Materials	All putrescible and non-putrescible <u>municipal wastes</u> discarded from any <u>residential dwelling unit</u> or <u>commercial</u> source including <u>municipal waste</u> , <u>recyclable materials</u> , <u>mandatory recyclable materials</u> and <u>compostable materials</u> .
202.11	Dwelling, Multi-Family	A <u>building</u> containing three (3) or more <u>dwelling units</u> used for residential occupancy, including apartment houses, non-transient apartment hotels, rooming houses, boarding houses, fraternities, sororities, dormitories and similar housing types but not including hotels, motels, hospitals and foster family homes.
202.12	Dwelling, Single Family	A detached <u>building</u> containing only one (1) <u>dwelling unit</u> .
202.13	Dwelling, Two Family	A <u>building</u> containing two (2) <u>dwelling units</u> each with completely separate entrances.
202.14	Dwelling Unit	One (1) or more rooms in a residential <u>building</u> which are arranged, designed or used as living quarters for one (1) family. Bathroom and kitchen facilities are

- 202.15 *Garbage* permanently installed.  
Waste resulting from the handling, processing, preparation, cooking, and consumption of food, and wastes from the handling, processing, storage, and sale of produce.
- 202.16 *Household Waste* Any solid waste (including garbage, trash, and sanitary waste in septic tanks) derived from households (including single and multiple residences, hotels and motels, bunkhouses, ranger stations, crew quarters, campgrounds, picnic grounds, and day-use recreation areas).
- 202.17 *Institutional Waste* Waste generated at institutions, such as schools, libraries, hospitals, and prisons.
- 202.18 *Landscape Waste* All accumulations of grass or shrubbery cuttings, leaves, tree limbs, and other materials accumulated as the result of the care of lawns, shrubbery, vines and trees. Christmas trees are excluded.
- 202.19 *Licensed Hauler* Any person or persons duly licensed in accordance with this Ordinance and other such applicable ordinances of the County now or hereafter in effect.
- 202.20 *Mandated Recyclable Materials* Materials that are mandated by the McHenry County Residential Recycling Ordinance to be separated from discarded materials for the purpose of recycling, including but not limited to, aluminum cans, steel cans, newsprint, corrugated cardboard, plastic containers (PET and HDPE; #1 and #2, respectively), mixed fiber (including magazines, high grade printing and writing papers, phone books, and chipboard), and glass containers.
- 202.21 *Municipal Waste* Garbage, general household, institutional and commercial waste, industrial lunchroom or office waste, landscape waste, and construction or demolition debris.
- 202.22 *Municipal Waste Hauler* Any person or persons who engages in the business of collecting or hauling discarded materials on a continuous and regular basis, and who makes multiple scheduled collections per month within the County.



202.23	Occupant	<u>Person</u> or <u>persons</u> residing in <u>residential dwelling units</u> which have either curbside, alley or centrally located collection services.
202.24	Person	Any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, legal entity or their legal representative(s), agent(s), or assign(s).
202.25	Pricing:	<p><u>Pay-as-you-throw</u>: A system in which the cost to the customer for waste collection is based on the number and size of containers or bags set out for pick-up, or through the purchase of special trash bags, tags or stickers that include the cost of waste collection in the purchase price.</p> <p><u>Variable Rate</u>: A system in which the cost to the customer for waste collection increases as the volume or weight of the <u>municipal waste</u> disposed of by the customer increases.</p>
202.26	Recyclable Materials	Materials that are separated from <u>discarded materials</u> for the purpose of <u>recycling</u> , including but not limited to, aluminum and tin cans, newspapers, corrugated cardboard, high grade printing and writing papers, magazines, <u>landscape waste</u> , plastic and glass containers.
202.27	Recycling	The process by which <u>municipal waste</u> is collected, separated and processed for reuse as either a raw material or a product which itself is subject to recycling, but does not include the combustion of <u>municipal waste</u> for energy recovery or volume reduction.
202.28	Refuse	See <u>Municipal Waste</u> .
202.29	Resident	A <u>person</u> who dwells or has a place of abode which is occupied by that <u>person</u> for sixty (60) days or more each calendar year.
202.30	Residential Dwelling Unit	A <u>single</u> , <u>two</u> , or <u>multi-family dwelling</u> .

- 202.31 *Solid Waste Management Plan*  
The officially adopted McHenry County plan and subsequent updates pursuant to the Illinois Solid Waste Planning and Recycling Act for the management of municipal waste generated within its boundaries.
- 202.32 *Solid Waste Coordinator*  
The person hired by the County to oversee the implementation and management of municipal waste programs as specified within the Solid Waste Management Plan.
- 202.33 *Source Reduction*  
The design, manufacturing, purchase, or use of materials, such as products and packaging, to reduce the amount or toxicity of materials before they enter the municipal waste management system, such as redesigning products or packaging to reduce the quantity of materials or the toxicity of the materials used; reusing products or packaging already manufactured; and lengthening the life of products to postpone disposal. Examples include food to food banks, diverting food scraps and landscape waste through backyard (onsite) composting, and reusing plastic pallets. Also referred to as waste prevention.
- 202.34 *State*  
State of Illinois.

### ARTICLE THREE – DISCARDED MATERIAL

#### 301 OWNERSHIP OF DISCARDED MATERIALS

- 301.1 Until the discarded materials are removed by the licensed hauler, the occupant who sets out the discarded materials is totally responsible for their proper preparation, handling and storage. Ownership and responsibility for the proper handling of the discarded materials shall be vested in the licensed hauler upon removal thereon.
- 301.2 It shall be the responsibility of the occupant whose discarded materials were not removed because they contained mandated recyclable materials to properly segregate the uncollected discarded materials in accordance with the McHenry County Residential Recycling Ordinance.

302 UNAUTHORIZED COLLECTION OF DISCARDED MATERIAL

It shall be unlawful for any unauthorized collection of mandated recyclable materials that have been set out by any residential dwelling unit or commercial source specifically for an authorized collection by a licensed hauler.

303 RIGHT TO SELL RECYCLABLE MATERIAL AND LANDSCAPE WASTE

Nothing in this Ordinance shall abridge the right of any recycling and composting program lawfully operated for profit, non-profit or charitable purposes from selling recyclable materials and landscape waste.

ARTICLE FOUR – LICENSES

401 LICENSES REQUIRED

- 401.1 No person or company shall engage in the business of collecting or transporting discarded materials from a residential dwelling unit or commercial customer in the County without first procuring a license to do so from the County.
- 401.2 Unless otherwise provided by the McHenry County Board, each license granted pursuant to the provisions in this Ordinance shall be in effect from April 1 through March 31 of each year.

402 LICENSE APPLICATION

- 402.1 The application for a Municipal Waste Hauler License shall be made to the McHenry County Department of Planning & Development on the appropriate form. The application shall include the following:

1. A completed McHenry County Municipal Waste Hauler Licensing Application;
2. A completed Vehicle Registration form;
3. A signed and notarized Certification form; and
4. Payment as determined in Sections 402.5 and 402.6.

The municipal waste hauler shall comply with the provisions of this Ordinance pending action by the Department on the license.

- 402.2 If an initial license is applied for at any time other than annual renewal time, the applicant shall have thirty (30) calendar days from receipt of the forms supplied by the County to complete and submit the above information to the Department.
- 402.3 The Department shall provide license renewal forms to the licensed hauler at least sixty (60) calendar days prior to the expiration of the licensed hauler's current annual license. The requirements in Section 402.1 shall be completed and received, along with the annual report, by the Department not less than thirty (30) calendar days prior to the expiration of a licensed hauler's current license.
- 402.4 As part of the license application, the municipal waste hauler shall report, on forms provided by the County, the number of said vehicles utilized by the municipal waste hauler and where such vehicles are kept when not in use.
- 402.5 Payment of all fees must accompany the license application or license renewal. No fees shall be refunded. The following fees shall be required:
1. For each License issued between January 1 and June 30 - \$50.00,  
For each License issued between July 1 and December 31 - \$25.00;
  2. For each vehicle put into service between January 1 and June 30 for the collection or transportation of discarded materials from residential dwelling units or commercial customers - \$25.00,  
For each vehicle put into service between July 1 and December 31 for the collection or transportation of discarded materials from residential dwelling units or commercial customers - \$12.50.
- NOTE: In addition to fee(s) for vehicles put into service after June 30, all such applications shall be accompanied with applicable revisions per Section 402.
- 402.6 Complete applications submitted after the required due dates specified in Sections 402.2 and 402.3 shall be subject to the following late fees:
1. One (1) to seven (7) calendar days late - twenty-five percent (25%) late fee;
  2. Eight (8) to thirty (30) calendar days late - fifty percent (50%) late fee;
  3. Thirty-one (31) or more calendar days late - one hundred percent (100%) late fee; or

4. Has commenced providing services without a license from the County – one hundred percent (100%) late fee.

402.7 Payment of the fees together with the payment of any penalties shall not bar other enforcement action by the County.

#### 403 LICENSE HOLDER DUTIES

403.1 Municipal waste haulers that provide regularly scheduled municipal waste collection service to residential dwelling units, in unincorporated areas of McHenry County and/or incorporated municipalities without service contracts, shall offer those customers, in addition to the standard flat fee method of payment, the options of either pay-as-you-throw or variable rate pricing for collection service.

403.2 Each vehicle used by a licensed hauler for the collection or transportation of discarded materials generated within the County shall be identified by a registration decal issued for that vehicle for the current license year. The licensed hauler shall affix the decal in a conspicuous place on the left side of the cab of the vehicle for which it was issued as directed by the Department. The licensed hauler must maintain the registration decal so that it is readily visible and legible at all times. Any vehicle not bearing the required decal shall be considered unregistered. If a vehicle is put into service during the license year, the licensed hauler shall submit the required information and applicable fees, pursuant to Sections 402.4 and 402.5.2, for this vehicle to the County and shall not use the vehicle to collect or transport discarded materials within the County until a decal has been issued and affixed to the new vehicle.

403.3 On or before March 1 of each year, at the time of license renewal, each licensed hauler shall submit a written report, on forms provided by the County, on its municipal waste hauling and recycling service operations during the previous calendar year. Failure to submit such a report shall constitute a violation of this Ordinance and shall result in fines and/or suspension of the license.

1. Each written report shall be accompanied by a notarized statement attesting that the information provided is complete, true, and accurate.

403.4 On or before March 1 of each year, at the time of annual report submission, each licensed hauler shall provide a list of all communities currently under contract for municipal waste and/or mandated recyclable materials collection.

403.5 It shall be unlawful for any licensed hauler to collect discarded materials from any residential dwelling unit in the County containing visible signs of

mandated recyclable materials. It is also unlawful for licensed haulers to remove, for disposal, those bags or containers of discarded materials which visibly display a warning notice, sticker or some other device indicating that the load of discarded materials contains mandated recyclable materials and therefore should not be removed for disposal.

- 403.6 Municipal waste haulers that provide regularly scheduled municipal waste collection service in unincorporated areas of McHenry County and/or incorporated municipalities without service contracts, shall not begin collection activities prior to 5:00 a.m.

#### 404 LICENSE ISSUANCE OR DENIAL

- 404.1 The Department shall have thirty (30) calendar days from the receipt of the license or renewal application to issue or deny the license (issue or renew the license or issue a conditional license). The Department shall issue a temporary license valid for thirty (30) calendar days upon its failure to act upon an application.
- 404.2 The Department may grant a conditional license where an application and/or annual report is incomplete. The conditional license shall specify the conditions upon which a permanent license shall be granted and the time requirement within which the conditions must be met. Failure to comply with the specified conditions within the required time frame shall result in a revocation of the conditional license and denial of the permanent license.
- 404.3 The Department shall notify the applicant in writing of its decision. If issued, the license shall be mailed by first class mail to the address provided in the application. If denied, a written decision shall be served personally or by certified mail upon the applicant at the address provided in the application.
- 404.4 A license denial shall include a written notice stating the basis for the denial and shall provide notice to the applicant that if an appeal is desired, a written request for a hearing must be received by the Department within fifteen (15) calendar days following service, exclusive of the day of service. Upon receipt of a request for hearing, the Department shall set a time and place for said hearing. The hearing shall be conducted pursuant to the procedures in Article Six of this Ordinance.
- 404.5 No license is transferable; any attempted transfer of a license shall immediately void such license.



405 COMPLIANCE WITH OTHER LAWS

The obtaining of a license herein shall not be deemed to exclude the necessity of obtaining other licenses or permits as required by other applicable State or Federal laws or regulations. The licensed hauler shall at all times operate in compliance with all applicable rules and regulations.

ARTICLE FIVE – VIOLATIONS

501 VIOLATIONS

- 501.1 The Department may issue a Notice of Violation letter as may be necessary for the enforcement of this Ordinance. Each Notice of Violation shall state the violation, the action, and time schedule required for compliance.
- 501.2 The Department, its duly authorized representative, or any licensed peace officer shall have the power to issue a Notice to Appear citing the particular section(s) of this Ordinance alleged to have been violated. This shall not permit the Department or its representatives to physically arrest or take into custody any alleged violators.
- 501.3 The County may institute appropriate actions or proceedings, including application for injunctive relief, to compel performance or other appropriate action to prevent, restrain, correct or abate any violation or potential violation of this Ordinance.

502 PENALTIES

- 502.1 Any person who commits a violation of this Ordinance, except those identified in Article One, shall be punishable by a fine not less than fifty dollars (\$50.00) or more than five hundred dollars (\$500.00) per violation.
- 502.2 Any licensed hauler who violates this Ordinance shall be subject to a fine of not less than fifty dollars (\$50.00) or more than five hundred dollars (\$500.00) per violation for the first three (3) violations. After a notification of a fourth violation, the Department may impose a fourteen (14) calendar day suspension of the violator's license. After notification of a fifth violation, the Department may impose a two (2) month suspension of the violator's license.
- 502.3 Any licensed hauler who collects discarded materials during a period when their license is suspended shall be subject to a fine of not less than seventy-five dollars (\$75.00) or more than five hundred dollars (\$500.00).



- 502.4 The County may, at its discretion, deny the renewal of a license to a company with more than five (5) documented violations.
- 502.5 Each observed violation shall constitute a separate and distinct offense.

## ARTICLE SIX - ADMINISTRATIVE PROCEDURES

### 601 SUSPENSION OF LICENSE

- 601.1 Any license required under this Ordinance may be suspended for violation of any provision of this Ordinance. Suspension shall be for a period as prescribed within Section 502.2.
- 601.2 If the Department is notified that a licensed hauler subject to the provisions set forth in Article Four, is operating in violation of this Ordinance and poses a threat to the health or safety of the citizens of the County, the Department may initiate a suspension.
- 601.3 Written notice of a suspension shall be by personal service upon the licensed hauler or sent by certified mail to the licensed hauler's business address at least fifteen (15) calendar days prior to the effective date of the suspension. The written notice shall contain:
1. The effective date of the suspension;
  2. The facts which support the conclusion that a violation or violations have occurred; and
  3. A statement that the licensed hauler may appeal the notice of suspension.
- 601.4 Any licensed hauler, subject to the provisions set forth in Article Four and whose license is suspended or revoked by operation of this Ordinance may petition the Department for a hearing under the rules set forth in Section 603.
- 601.5 If a hearing is desired, a written request for a hearing must be received by the Department within fifteen (15) calendar days following service of the notice, exclusive of the day of service. The request for hearing must state the grounds for appeal. If a hearing is requested, the suspension shall be stayed pending outcome of the hearing.
- 601.6 Upon receipt of a request for hearing, the Department shall set a date, time and place. The hearing shall be conducted pursuant to the procedures in Article Six of this Ordinance.

602 SUMMARY SUSPENSION OF LICENSE

- 602.1 If the Department finds that the public health, safety, or welfare requires immediate action, summary suspension of a license may be ordered.
- 602.2 Written notice of a summary suspension shall be by personal service upon the licensed hauler or sent by certified mail to the licensed hauler's business address. The Department shall also take reasonable steps to notify the licensed hauler by telephone, facsimile, or electronic mail prior to the summary suspension.
- 602.3 The written notice shall contain:
1. The effective date of the summary suspension;
  2. The violation requiring emergency action;
  3. The facts which support the conclusion a violation has occurred; and
  4. A statement that the licensed hauler may appeal the summary suspension.
- 602.4 If a hearing is desired, a written request for a hearing must be received by the Department within fifteen (15) calendar days following service of the notice, exclusive of the day of service. The request for hearing must state the grounds for appeal
- 602.5 Upon receipt of a request for a summary suspension hearing, the Department shall set a date, time and place. The hearing shall be conducted pursuant to the procedures in Article Six of this Ordinance.
- 602.6 The summary suspension shall not be stayed pending an appeal.

603 HEARINGS

- 603.1 The hearing shall be before an impartial Hearing Commission consisting of three (3) members appointed by the McHenry County Board upon recommendation from the McHenry County Board's Planning & Development Committee.
- 603.2 The Department shall schedule and provide notice of the date, time and place of the prehearing conference and hearing. The prehearing conference shall be held at least three (3) weeks prior to the hearing. The hearing shall be held no later than forty-five (45) calendar days after receipt of the request for hearing or by mutual agreement of the parties.

603.3 License hearings shall proceed under established Illinois administrative procedure in addition to the specific rules listed below:

1. The general rules of evidence used by Illinois courts in civil proceedings at the time of the hearing shall govern the admission of evidence; and
2. Each party shall exchange all relevant information and documentary evidence at least one (1) week prior to the hearing date. Such information shall include all evidence intended for introduction at the hearing such as, but not limited to, the following: exhibits; statements; reports; witness lists including a description of the facts and opinions to which each is expected to testify; photographs; slides; and demonstrative evidence. Evidence not exchanged in accordance with this provision shall not be considered at the hearing unless good cause is shown to the Hearing Commission.

#### ARTICLE SEVEN - SEVERABILITY

##### 701 SEVERABILITY

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

#### ARTICLE EIGHT - PROVISIONS CUMULATIVE

##### 801 PROVISIONS CUMULATIVE

The provisions in this Ordinance are cumulative and are additional limitations upon all other laws and ordinances covering any subject matter in this Ordinance.

NOW, THEREFORE, BE IT FURTHER ORDAINED that this Ordinance shall become effective August 19, 2001  
(Two months after passage)

DATED, at Woodstock, McHenry County, Illinois on this 19th day of June, 2001.

COUNTY OF MCHENRY, ILLINOIS

by: 

Chairman, McHenry County Board

ATTEST:

by: 

McHenry County Clerk

COUNTY CLERK'S CERTIFICATION

STATE OF ILLINOIS

McHenry County,

} ss.

I,

Katherine C. Schultz

County Clerk within and for said County and State  
aforesaid, do hereby certify the foregoing to be a true and complete copy of  
Ordinance No. 0-200106-10-41 Municipal Waste Hauler Licensing Ordinance which was  
approved and adopted by the McHenry County Board at its Regular June meeting held June 19,  
2001; the original of which is on file and of record in this office.

IN WITNESS WHEREOF, I have hereunto subscribed my hand and affixed the official  
seal of said County, at my office in Woodstock, Illinois.

this 21<sup>st</sup> day of June A.D. 2001

Katherine C. Schultz

County Clerk

## **APPENDIX B**

**ACTION PLAN FOR 10-YEAR UPDATE**

**RECOMMENDATIONS**

## **Appendix B**

### **Action Plan for 10-Year Update Recommendations**

The following offers methods to implement the recommendations as identified in Section 5 of the 10-Year Update. The methods are merely suggestions. Other methods may be utilized as deemed necessary when implementation of the individual recommendation commences.

#### #2002-1

**Recommendation:** Encourage programs that concentrate on waste reduction as the first priority in solid waste management efforts.

**Methods:**

1. Continue to provide financial assistance to the McHenry County Schools Environmental Education Program.
2. Continue to promote waste reduction within County Government buildings through the Employee Recycling Committee.
3. Give presentations to businesses on the benefits of waste reduction.
4. Introduce the USEPA's WasteWise program to area businesses.

#### #2002-2

**Recommendation:** Promote the pay-as-you-throw system as the basis for residential waste collection in all municipalities within the County. Educate municipal officials on pay-as-you-throw techniques and provide other assistance as needed.

**Methods:**

1. Encourage municipalities within the County to establish pay-as-you-throw techniques as the basis for residential waste collection.
2. The County should provide education to municipal officials regarding pay-as-you-throw techniques and provide other assistance as needed.
3. Continue to act as a clearinghouse for information regarding new techniques in handling municipal solid waste.

#### #2002-3

**Recommendation:** Educate commercial and industrial establishments, institutions, governmental agencies, and other non-residential entities on source reduction programs.



**Methods:**

1. Encourage commercial and industrial establishments, institutions, government agencies, and other non-residential entities to implement source reduction programs.
  - a. Host "brown bag" seminars to promote source reduction practices.
  - b. Introduce the USEPA's WasteWise program to area businesses.
2. The County should continue to offer waste audits and assistance to these entities.
3. Educate the EDC and local chambers of commerce on waste reduction practices and provide those agencies with hand-out material.

#2002-4

**Recommendation:** Promote and encourage businesses that process recycled material and those that manufacture products with post-consumer recycled materials.

**Methods:**

1. Coordinate the effort with municipalities and the McHenry County Economic Development Corporation.
2. Prepare informational packets on the benefits of using recycled material in the manufacturing field.
3. Adopt a resolution that the County endorses such businesses.

#2002-5

**Recommendation:** Document the formation and function of the County employee recycling committee to be used as a model for other entities and institutions.

**Methods:**

1. Form a sub-committee of the Employee Recycling Committee to develop information.
2. Provide the information to McHenry County municipalities and townships for their use.
3. Maintain the information with the Solid Waste Coordinator to hand out on request.

#2002-6

**Recommendation:** The County Employee Recycling Committee should continue to promote reduce, reuse and recycle activities within the County Departments using incentives such as recognition awards and tools such as the Intranet.

**Methods:**

1. Continue to provide educational material to each Department's Recycling Coordinator.
2. Sponsor promotional events, such as, waste-free lunches.
3. Involve schools and students to help educate County employees.
4. Continue to use the Intranet to disseminate information to County employees.

#2002-7

**Recommendation:** Continue the Reduce, Reuse, and Recycle Awards Program.

**Methods:**

1. Continue to publicly recognize businesses, institutions, government agencies and other non-residential entities for their recycling efforts through the use of awards.
2. Present the awards in front of their peers, such as an EDC meeting.
3. If budget allows, provide monetary rewards or gift certificates.

#2002-8

**Recommendation:** Develop a Commercial Recycling Ordinance.

**Methods:**

1. Consider developing an ordinance which would require the recycling of at least one material by commercial establishments.
2. Review other such ordinances enacted by other Illinois counties.

#2002-9

**Recommendation:** Develop recycled product procurement policy for the County.

**Methods:**

1. Develop and promote purchasing ordinances which require/ encourage the purchase of recycled content products for use by County agencies.
2. Make the ordinance available as a model for other agencies to utilize.
3. Explore the possibility of making this a requirement to outside agencies that are partially funded by the County.

#2002-10

**Recommendation:** Develop a recycling procedure for construction or demolition sites.

**Methods:**

1. Require developers, as a condition of receiving a building permit, to submit a plan for the recovery of building materials throughout the construction or demolition process.
2. Consider rebating a portion of the permit fee once documentation has been received verifying compliance with the submitted plan (e.g., manifests).
3. Encourage municipalities to require the same.

#2002-11

**Recommendation:** Implement source reduction, reuse, recycling, and composting programs to reduce dependence on landfilling.

**Methods:**

1. Continue to provide financial assistance to the McHenry County Schools Environmental Education Program.
2. Continue to act as a clearinghouse for information regarding source reduction, reuse, recycling, and composting programs.
3. The County should act as a role model for other government agencies in McHenry County.

#2002-12

**Recommendation:** Secure landfill space to accept waste generated in McHenry County.

**Methods:**

1. Review other county's contracts for contracted landfill space.
2. Enter into negotiations with the owners of the sanitary landfills serving McHenry County to provide a given amount of privately owned and operated landfill disposal capacity, secured by a public contract to deliver waste.

#2002-13

**Recommendation:** Encourage the development of transfer stations in McHenry County.

**Methods:**

1. Let it be publicly known that the County is willing to review any proposals for a transfer station(s) located in McHenry County.

2. Review established transportation routes utilized by haulers when considering the feasibility of a site.
3. Consider possible future transportation routes and methods to transport waste to landfills when establishing the feasibility of a site.

#2002-14

**Recommendation:** Review and update the McHenry County Regional Pollution Control Facility Siting Ordinance.

- Methods:**
1. Review written comments from the State's Attorney's Office regarding the Ordinance.
  2. Update the Ordinance as appropriate.

#2002-15

**Recommendation:** Review and update the Guidelines for a New Solid Waste Disposal Facility in McHenry County as deemed necessary.

- Methods:**
1. Dependent on the outcome of recommendation #2002-14.

#2002-16

**Recommendation:** Verify that any proposed landfills in McHenry County are, at a minimum, designed, operated, and monitored in compliance with the most current RCRA Subtitle D regulations and other regulations subsequently adopted by the State of Illinois.

- Methods:**
1. Mandate that the design, operation, and monitoring of any future public landfill in McHenry County shall meet or exceed the most current RCRA Subtitle D regulations developed by the United States Environmental Protection Agency and other regulations subsequently adopted by the State of Illinois.
  2. Also related to recommendation #2002-14.

## **APPENDIX C**

### **PUBLICATION NOTIFICATION**

# PUBLISHER'S CERTIFICATE OF PUBLICATION

I, R. Michael Sheppard do hereby

certify that I am the publisher of Northwest Herald

a daily secular newspaper of general circulation within the county(s) of McHenry

and Kane regularly published in the city of Crystal Lake

in the county of McHenry and state of Illinois, and which has been so published  
for more than 12 months prior to the first publication of hereunto annexed notice or

advertisement relating to the matter of

## SOLID WASTE MANAGEMENT PLAN 10-YEAR UPDATE

was published in said newspaper 1 time being 1 day  
commencing April 24, 2002  
and ending April 24, 2002

which were the dates of first and last insertions. I further certify that said newspapers  
is a newspaper as defined by the terms and conditions of Chapter 100, paragraph 1 et. Seq.,

Illinois Revised Statutes 1981.

Given under my hand at Crystal Lake, Illinois

April 24, 2002



ACCT #10235  
AMT \$32.40

**PUBLIC NOTICE**  
Please take notice that the County of McHenry has completed a LOAB of the Solid Waste Management Plan 10-Year Update. A written public comment period will begin on May 1, 2002 and end on July 26, 2002. A copy of the plan update will be on file between these dates and may be obtained from the McHenry County Department of Planning and Development, Attn: A. 2000 North Seminary Avenue, Woodstock, Illinois 60098. Any written statements should be directed to the Solid Waste Coordinator and be received by August 2, 2002. In addition, an electronic copy of the plan update will be made available during the same period of time under the Planning and Development Section of McHenry County Government Center's web page at [www.mchenry.org](http://www.mchenry.org). Published in the Northwest Herald, April 24, 2002.

## **APPENDIX D**

### **PUBLIC COMMENTS**





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**DEPARTMENT OF PLANNING AND DEVELOPMENT**

McHENRY COUNTY GOVERNMENT CENTER - ANNEX BUILDING A  
2200 NORTH SEMINARY AVENUE  
WOODSTOCK, IL 60098  
815/334-4560 FAX# 815/337-3720

August 12, 2002

During the public comment period between May 1, 2002 and August 2, 2002, the McHenry County Department of Planning and Development received no comments, either written or verbal, from the public regarding the Solid Waste Management Plan 10-Year Update.

## **APPENDIX E**

### **RESOLUTION ADOPTING 2002 PLAN UPDATE**

**RESOLUTION  
ADOPTING THE 10-YEAR UPDATE OF  
McHENRY COUNTY'S SOLID WASTE MANAGEMENT PLAN**

WHEREAS, the Solid Waste Planning and Recycling Act (hereinafter called the "Act"), 415 ILCS 15/1 et seq. requires each county's solid waste management plan be reviewed and updated every five (5) years, and any revisions to be submitted to the Illinois Environmental Protection Agency (IEPA) for review and comment; and

WHEREAS, McHenry County's Solid Waste Coordinator prepared the 10-Year Update of the County's Solid Waste Management Plan, as allowed by the IEPA; and

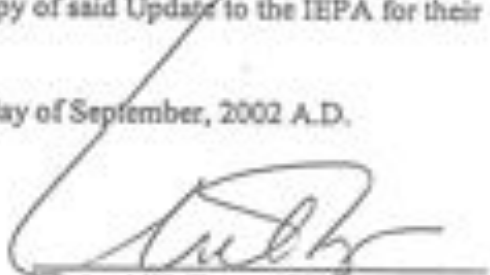
WHEREAS, between May 1, 2002 and August 2, 2002, the said Update was available for public review and comment; and

WHEREAS, pursuant to the IEPA's March 21, 2002 correspondence, the said Update shall be reviewed by the IEPA after adoption by the McHenry County Board; and


NOW THEREFORE BE IT RESOLVED, that the McHenry County Board adopts the 10-Year Update of the Solid Waste Management Plan (attached hereto and made part hereof); and

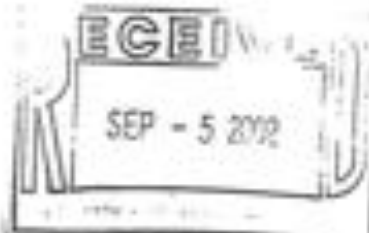
BE IT FURTHER RESOLVED, that the McHenry County Board directs the County's Solid Waste Coordinator to submit a copy of said Update to the IEPA for their review.

DATED at Woodstock, Illinois, this 3rd day of September, 2002 A.D.

  
Michael W. Tryon, Chairman  
McHenry County Board

ATTEST:

  
Katherine Schultz  
McHenry County Clerk



STATE OF ILLINOIS            )  
  ) SS  
COUNTY OF MCHENRY        )

I, Katherine C. Schultz, County Clerk within and for said County and State aforesaid, do hereby certify the foregoing to be a true and complete copy of Resolution No. R-300209-10-153 adopting the 10-year update of McHenry County's Solid Waste Management Plan. WHEREOF I have hereto subscribed my hand and affixed the official seal of said County, at my office in Woodstock, Illinois this 17<sup>th</sup> day of September AD, 2022.

Katherine C. Schultz  
McHenry County Clerk    *CS*

## **APPENDIX F**

**COMPLETED ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY FIVE YEAR  
MUNICIPAL WASTE MANAGEMENT  
PLAN UPDATE FORM**



# ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276

RENEE CIPRIANO, DIRECTOR

## FIVE YEAR MUNICIPAL WASTE MANAGEMENT PLAN UPDATE

The Agency has prepared this form to assist local governments with the five year updates of municipal waste (MW) plans. Although local governments may prepare and submit a more extensive document, the Agency will consider submission of this completed form to be the plan update required under the Solid Waste Planning and Recycling Act (SWPRA).

Attach additional labeled pages as necessary.

### GENERAL INFORMATION

Local Government:	<u>McHenry County</u>	
Contact Person:	<u>Leonore Buckley</u>	
Address:	<u>Department of Planning &amp; Development</u>	
	<u>2200 North Seminary Avenue</u>	
	<u>Woodstock, IL 60098</u>	
Telephone:	<u>815-334-4560</u>	Plan Adoption Date: <u>08/20/91</u>
Re-Adoption Date:	<u>11/21/97</u>	Plan Update Due: <u>11/18/02</u>

### 1. Recommendation and Implementation Schedule Contained in the Adopted Plan

This information should be easily accessible in the plan's Executive Summary or Recommendations chapter. Briefly describe the recommendations and implementation schedule for each alternative in the adopted plan below.

#### a. Source Reduction

For information related to Question 1, a through e, refer to Section  
5.0 of the 10-Year Update.

#### b. Recycling and Reuse

GEORGE H. RYAN, GOVERNOR

- c. Combustion for Energy Recovery

- d. Combustion for Volume Reduction

- e. Disposal in Landfills

2. **Current Plan Implementation Efforts**

- a. Which recommendations in the adopted plan have been implemented?

For information related to Question 2, a and b, refer to Section 5.0 of the 10-Year Update.

Briefly describe which recommendations were not implemented and the reasons why these were not implemented.



- b. Which recommendations in the adopted plan have been implemented according to the plan's schedule?

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Briefly describe which recommendations were not implemented according to the adopted plan's schedule, and attach a revised implementation schedule.

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3. **Recycling Program Status**

Because the Agency's annual landfill capacity report includes data on each adopted plan's recycling status, information on your recycling percentages is not being requested on this form. This will avoid duplication of efforts.

- a. Has the program been implemented throughout the county or planning area:  
yes ☒ no ☐
- b. Has a recycling coordinator been designated to administer the program?  
yes ☒ no ☐ If yes, when? 1991
- c. Does the program provide for separate collection and composting of leaves?  
yes ☒ no ☐
- d. Does the recycling program provide for public education and notification to foster understanding of and encourage compliance with the program?  
yes ☒ no ☐
- e. Does the recycling program include provisions for compliance, including incentives and penalties?  
yes ☒ no ☐ If yes, please describe.

For information, refer to Section 5.0 and Appendix A of the 10-Year Update.

- f. Does the program include provisions for recycling the collected materials, identifying potential markets for at least three materials, and promoting the use of products made from recovered or recycled materials among businesses, newspapers, and local governments?  
yes ☒ no ☐ If yes, please describe.

For information relating to Question 3, f and g, refer to Section 5.0 and Appendix A of the 10-Year Update.

g. Provide any other pertinent details on the recycling program.

4. **Current Needs Assessment Information (optional)**

Depending upon the available resources, updated waste generation data, current municipal waste recycling and disposal information, and any other recent available data may be included; this information will not be required by the Agency.

\*\*\*Refer to Section 3.0 of the 10-Year Update.\*\*\*

a.	MW generated per year:	_____	tons	_____	cubic yards
b.	MW generation rate:	_____	pcd (lbs/capita/day)		
c.	MW recycled/year:	_____	tons		
d.	MW incinerated/year:	_____	tons	_____	cubic yards
e.	MW landfilled/year:	_____	tons	_____	cubic yards
	Time period for this information:	_____			

4. **New Recommendations and Implementation Schedule**

Due to political, fiscal, or technological changes, a local government may choose to recommend different waste management options for the review plan. It should be noted, however, that the recycling program requirements of the SWPRA must be followed. Discuss any new recommendations included in the revised plan, and the implementation schedule to be followed.

For information related to Question 5, refer to Section 5.0 and Appendix B of the 10-Year Update.

## **APPENDIX G**

### **CORRESPONDENCE WITH IEPA**



## ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276

RENÉE CIPRIANO, DIRECTOR

217/785-8604

Fax: 217/782-9290

March 21, 2002

Ms. Leonore Buckley  
Solid Waste Coordinator  
McHenry Co. Dept. of Planning and Development  
2200 N. Seminary Ave.  
Woodstock, IL 60098

Re: Solid Waste Grant/McHenry County/Planning/Correspondence

Dear Ms. Buckley:

In response to your questions regarding municipal waste management plans, the Solid Waste Planning and Recycling Act (SWPRA) requires each county's waste management plan to be reviewed and updated every five years, and any necessary or appropriate revisions be submitted to the Agency for review and comment. This letter was prepared to assist local governments in the development of these plan updates.

Because the SWPRA does not designate the required content of plan updates, or the process to follow in completing these revisions, local governments may prepare their updates in whatever format best suits their resources. Updates may be as brief or extensive as a local government chooses. Due to our budget constraints, no state financial assistance will be available for plan updates. Because of this, local governments should carefully examine their available resources and use the most cost-effective procedures when preparing the plan update.

In order to make your second five year update as easy as possible, we have prepared a simple form that you may follow when preparing your update. This form is designed to be straightforward, and is estimated to take between 24 and 40 hours to complete. If your agency has a recycling or solid waste coordinator, you may wish to transmit this to that person for completion. Although you may prepare a more extensive document for your plan update, we will consider submission of the completed attached form to be sufficient.

After the Agency receives a plan update, it will be reviewed and comments will be transmitted to you within 90 days. As you know, the Agency is not authorized to approve plans or update under the SWPRA. We will, however, provide written confirmation that your plan update has been completed and reviewed by the Agency.

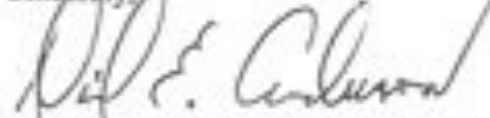
GEORGE H. RYAN, GOVERNOR

After the Agency's comments are transmitted to you, whatever revisions McHenry County believes to be appropriate should be made to the plan. It is suggested that the updated plan be re-adopted, with the appropriate revisions included, by ordinance or resolution of the local governing body. To simplify this process, an ordinance or resolution may be passed that incorporates the completed update form into the plan, thus eliminating the need to actually reprint the plan with the revisions. The update may also be included as an appendix in the revised plan. Local governments should follow the requirements in their local ordinances regarding this process. The State's Attorney or other local legal counsel should be consulted as needed. If your agency determines that public hearings should be held on the plan updates, the Agency's public hearing information should be followed; a copy of this may be obtained from the Agency. If the updated plan is reprinted to include the revisions, three copies should be submitted to the Agency for our files.

McHenry County's Plan was adopted on August 20, 1991, and the five year update was received November 18, 1997; thus your second five year update will be due to the Agency on November 18, 2002.

If you have further questions about the required content of the plan update, you may wish to consult your State's Attorney or other local legal counsel for assistance. We will provide as much assistance to you in this process as we can. I am your project manager and may be reached at 217/558-2574. Please contact me with any questions.

Sincerely,



David E. Anderson, Project Manager  
Planning and Grants Unit  
Solid Waste Management Section  
Bureau of Land

DA:jab\022852.doc

Enclosures: Five Year Plan Update Fact Sheet  
Five Year Plan Update Forms



DEPARTMENT OF PLANNING AND DEVELOPMENT

McHENRY COUNTY GOVERNMENT CENTER - ANNEX BUILDING A  
2200 NORTH SEMINARY AVENUE  
WOODSTOCK, IL 60098  
815/334-4560 FAX# 815/337-3720

September 5, 2002

VIA Certified U.S. Mail

David E. Anderson  
Bureau of Land  
Illinois Environmental Protection Agency  
1021 N. Grand Ave. East  
P.O. Box 19276  
Springfield, IL 62794-9276

RE: McHenry County Solid Waste Management Plan 10-Year Update

Dear Mr. Anderson,

Please find enclosed three (3) copies of McHenry County's Solid Waste Management Plan 10-Year Update (second five-year update). You will find the completed IEPA form in Appendix F of the document.

Should have any questions or require additional information, please feel free to contact me at (815) 334-4560 or via email at [lbuckley@co.mchenry.il.us](mailto:lbuckley@co.mchenry.il.us).

Sincerely,

Leonore Buckley, LPG  
Solid Waste Coordinator

encl.



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276

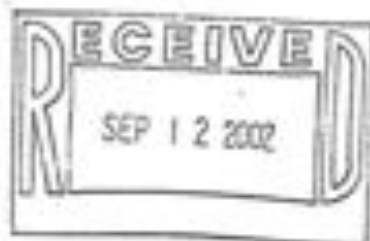
RENÉE CIPRIANO, DIRECTOR

217/785-8604

FAX: 217/782-9290

September 10, 2002

Ms. Leonore Buckley  
Solid Waste Coordinator  
McHenry Co. Dept. of Planning and Development  
2200 N. Seminary Ave.  
Woodstock, IL 60098



Re: SWM Grant/McHenry County/Planning/Correspondence

Dear Ms. Buckley:

This letter is to inform you that we received McHenry County's ten year municipal waste management plan update on September 9, 2002. The County adopted the plan update on September 3, 2002.

As you know, the Solid Waste Planning and Recycling Act (SWPRA) requires each county to review and update adopted plans every five years, and submit necessary or appropriate revisions to the Agency for review and comment. The SWPRA does not designate the required content of the plan updates, nor the process a unit of local government should follow in completing their revisions. The law does not specify the public notification process a unit of local government should follow to complete its plan update.

However, if McHenry County provided public notification or held a certain number of days public comment period or public meeting/hearing please let me know what dates. Also, let me know if any public comments have been received.

I have reviewed your ten year plan update, which includes a completed plan update form designed by the Agency. This form completed by the County and submitted to the Agency will serve as the plan update required by the Solid Waste Planning and Recycling Act. Please submit three copies of the final plan update and the resolution adopting the plan update to me if they are available.

GEORGE H. RYAN, GOVERNOR



McHenry County's ten-year plan update has been completed in accordance with the provisions required in the SWPRA.

Please contact me if you need anything further.

Sincerely,

A handwritten signature in black ink, appearing to read "D. E. Anderson". The signature is fluid and cursive, with the first name "David" and last name "Anderson" clearly distinguishable.

David E. Anderson, Project Manager  
Planning and Grants Unit  
Solid Waste Management Section  
Bureau of Land

DA:jab\mchenry.doc